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General Assembly
Security Council

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General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Letter dated 17 April 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter addressed to you by Mahmoud Hamoud, Minister for Foreign Affairs of Lebanon, on the subject of the recent aggressions launched by Israel on Monday, 16 April 2001 (see annex).

I ask that you kindly arrange to have this letter circulated as a document of the General Assembly, under agenda item 40, and of the Security Council.

(*Signed*) Selim **Tadmoury**
Ambassador
Permanent Representative

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Annex to the letter dated 17 April 2001 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

[Original: Arabic]

I should like to inform you of some grave and alarming developments that require your urgent intervention.

In the early morning hours of Monday, 16 April 2001, Lebanon was subjected to a fresh Israeli act of aggression deep inside its territory when, between 0020 and 0035 hours, Israeli enemy warplanes attacked a radar installation in the Dahr al-Baydar locality in three waves, targeting military positions of the Syrian Arab Force operating in Lebanon.

One member of the Force was killed in the attack and four were wounded; and serious damage was done to the site following the outbreak of fires.

Israel had prepared the way for its aggression by committing numerous and repeated violations of Lebanon's airspace on 15 April, and Israeli warplanes are still appropriating Lebanon's airspace as of the present moment.

This aggression is part of the ongoing series of Israeli assaults to which Lebanon is being subjected, and it follows the many Israeli threats to attack the country and make war on it to which we have frequently called attention, most recently in my letter dated 23 March 2001 addressed to you.

This escalation once again confirms the belligerent attitude that Sharon has maintained since he came to power, whether in the internal Palestinian arena or elsewhere, and it reveals to the international community his inherent aggressiveness and that of his Government, which may ignite the region and plunge it into a maelstrom of all-pervading violence and tension and may destroy the peace process and its achievements.

This escalation does indeed take on a dangerous dimension, inasmuch as, in addition to Lebanon, Israel is targeting the Syrian Arab Force operating there and is thus holding Syria responsible for resistance to the occupation at a time when this is a purely Lebanese affair and has been caused by the Israeli occupation of the Lebanese Shab'a farmlands.

In this delicate situation, Lebanon is anxious to stress the points set forth hereunder.

The Israeli attack on Lebanon represents a flagrant breach of the country's sovereignty and a violation of its territory and airspace for whose grave consequences Israel alone bears responsibility, over and above the fact that it has jeopardized international peace and security.

The new attack will not deflect Lebanon from asserting all of its rights or from taking all legitimate measures to liberate the occupied Lebanese Shab'a farmlands, while noting that the act of resistance that was used by Israel as a pretext for launching aggression against Lebanon took place in the farmlands area. Whatever the case may be, the farmlands are not Israeli territory, as Israel itself acknowledges, and Israel's presence there is unlawful and is solely by virtue of occupation.

This attack is a manifest attempt to divert attention from the infamous Israeli practices and assaults to which the Palestinian people in the territories of the Palestinian Authority is being subjected.

Lebanon warns against the ongoing series of Israeli threats and assaults against it. It urges the Secretariat of the United Nations to take urgent measures to halt and prevent any recurrence of Israeli aggression against Lebanon's territory and to require Israel to respect its sovereignty and territorial integrity and to implement the resolutions that embody international legitimacy.

Lebanon would like on this occasion to reaffirm its continuing commitment to a just and comprehensive peace in the Middle East, in accordance with the Madrid terms of reference, the principle of land for peace and the resolutions that embody international legitimacy, as well as its firmly-held belief that it is such a peace that will ensure a climate of security and stability in the region.

I should be grateful if you would have this letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Mahmoud **Hamoud**
Minister for Foreign Affairs

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General Assembly
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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth year

Identical letters dated 17 April 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

For several hours throughout last night and into today, Israeli occupying forces used helicopter gunships, tanks and gunboats to launch air, ground and sea attacks against several locations in Gaza City and throughout the Gaza Strip. At least one person was killed and 50 people injured as a result of this shelling. In addition, vast physical destruction was caused, and terror gripped the thousands of Palestinian civilians in the targeted areas.

Moreover, today, Israeli occupying forces moved tanks, troops and army bulldozers well into area under full Palestinian control near the town of Beit Hanoun in the Gaza Strip. Several Israeli spokesmen indicated that this military seizure was likely to continue. At the same time, Israeli tanks and troops were used to carve the Gaza Strip into three parts, isolated from one another.

Also today, Israeli snipers shot dead a 15-year-old Palestinian boy with a live bullet to his heart near the crossing point between Gaza and Israel at a time when no clashes were occurring. In the West Bank yesterday, Israeli troops shot another Palestinian teenager, an 18-year-old boy in the town of Tulkarem.

These mounting criminal actions by the Israeli occupying forces in the Occupied Palestinian Territory represent a continuation and dangerous escalation of the bloody Israeli military campaign of aggression being waged against the Palestinian people since 28 September 2000. Mr. Ariel Sharon and his Government are fully responsible for the war crimes and State terrorism being committed against the Palestinian civilian population under occupation as well as all the ensuing results and consequences.

In follow-up to my previous letter to you on this very grave and serious matter, dated 29 September 2000 to 11 April 2001 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025;

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A/ES-10/42-S/2000/1068; A/ES/-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; A/ES-10/56-S/2001/50; A/ES-10/57-S/2001/101; A/ES-10/58-S/2001/131; A/ES-10/59-S/2001/156; A/ES-10/60-S/2001/175; A/ES-10/61-S/2001/189; A/ES-10/64-S/2001/209; A/ES-10/65-S/2001/226; A/ES-10/66-S/2001/239; A/ES-10/67-S/2001/255; A/ES-10/68-S/2001/284, A/ES-10/69-S/2001/295; A/ES-10/70-S/2001/304; A/ES-10/71-S/2001/314; A/ES-10/72-S/2001/332; A/ES-10/75-S/2001/352), it is my deep regret to inform you that, since my last letter, seven more Palestinians have been killed by the Israeli occupying forces. (The names of the martyrs are contained in the annex to this letter.) These killings bring the total number of Palestinian martyrs since the start of this Israeli aggression on 28 September 2000 to 415 people, including children, women and men. As noted above, injuries among Palestinian civilians also continue to rise as a result of the actions and excessive use of force by the soldiers of the Israeli occupying army.

The Security Council, as the organ responsible for the maintenance of peace and security on behalf of the international community, is obligated to intervene in the escalating crisis in the Occupied Palestinian Territory, including Jerusalem. Action must be taken to bring an end to the Israeli military campaign and provide protection for the Palestinian people living under occupation. The Council cannot allow itself to remain paralysed as it watches this ongoing tragedy which threatens to endanger the whole region and thus directly endanger international peace and security.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem[a] (Thursday, 12 April, through Tuesday, 17 April 2001)

Thursday, 12 April 2001

1. Ha'aed Roushdi Sobin
2. Fadi Attallah Amer
3. Shawkat Saadi Al-Alamah (14 years old)

Saturday, 14 April 2001

1. Mohammed Yasseen Nasar

Monday, 16 April 2001

1. Basel Rafiq Zahran (18 years old)

Tuesday, 17 April 2001

1. Mohammed Ramadan Al-Masri
2. Hamza Obeid (15 years old)

[a] Total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 = 415.

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Security Council

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Seventh report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. In its resolution 1341 (2001) of 22 February 2001, the Security Council demanded that the parties to the Lusaka Ceasefire Agreement (S/1999/815, annex) implement fully the Kampala plan and the Harare sub-plans for disengagement and redeployment of forces without reservations within the 14-day period stipulated in the Harare Agreement, starting from 15 March 2001. The Council also endorsed the updated concept of operations put forward by the Secretary-General relating to the deployment of the civilian and military personnel required to monitor and verify the implementation of the disengagement plans by the parties.

2. In the same resolution, the Security Council urged the parties to the Lusaka Agreement to prepare and adopt, not later than 15 May 2001, in close liaison with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), a precise plan and schedule which, in accordance with the Lusaka Agreement, would lead to completion of the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo, and requested the Secretary-General to report by 15 April 2001 on the progress of those efforts. The Council also urged the parties to the conflict, in close liaison with MONUC, to prepare, also by 15 May, prioritized plans for the disarmament, demobilization, reintegration, repatriation or resettlement of all armed groups referred to in annex A, chapter 9.1, of the Lusaka Agreement.

3. The present report is submitted in accordance with the above resolution and reflects developments since the Secretary-General's sixth report on MONUC of 12 February 2001 (S/2001/128).

4. As the present report was being finalized, the planned deployment of United Nations troops to Kisangani was blocked by the authorities of the Rassemblement congolais pour la démocratie (RCD). RCD had demanded that MONUC investigate alleged ceasefire violations committed by the Forces armées congolaises (FAC) in Kasai Province. The Government of the Democratic Republic of the Congo has denied these allegations. MONUC has begun an investigation, but insisted to RCD that there should be no linkage between the alleged violations and the deployment of the 120-strong United Nations Moroccan contingent in Kisangani. In view of the refusal of RCD to permit the Moroccan contingent to land in Kisangani, they and their equipment were diverted to Bangui on 15 April.

5. In this connection, the Chargé d'affaires of the Permanent Mission of the Democratic Republic of the Congo to the United Nations wrote to the President of the Security Council on 16 April 2001 (S/2001/361).

II. Political developments

6. The achievements of the 15 February regional summit in Lusaka and the meetings of 21 and 22 February of the Security Council with the Political Committee in New York revived hopes for progress in the implementation of the Lusaka Agreement. The parties committed themselves to the Kampala plan and the Harare sub-plans for disengagement and

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redeployment of forces, signed in April and December 2000, respectively. In addition, President Kabila undertook to permit Sir Ketumile Masire to continue with his work as the neutral facilitator of the inter-Congolese dialogue. Further impetus was given to the peace process through the adoption of resolution 1341 (2000), in which the Security Council reaffirmed its authorization contained in resolution 1291 (2000) of 24 February 2000 and the mandate set out in that resolution for the expansion and deployment of MONUC.

7. In a letter dated 26 February 2001 addressed to me (S/2001/174), the Government of the Democratic Republic of the Congo welcomed the adoption of resolution 1341 (2001), describing it as an important step in accelerating the peace process, and pledged to respect the relevant provisions of the resolution fully. The Government reaffirmed its position on the inter-Congolese dialogue, which it regards as essential for the reconciliation of the Congolese people, and reiterated its commitment to an open national dialogue under the aegis of Sir Ketumile Masire.

8. In our telephone conversation on 24 February, President Kagame confirmed to me Rwanda's intention of disengaging its forces 200 kilometres from forward positions and stressed that his country had made a commitment to withdraw far beyond what the other parties had agreed. The President expressed confidence that RCD would fulfil its commitment to withdraw from Pweto.

9. On 26 February, the Foreign Ministers of the States members of the European Union (EU) expressed their satisfaction at the outcome of the Lusaka summit and the Security Council meetings on the Democratic Republic of the Congo, and proposed a progressive resumption of aid to the country. The Ministers commended the peace overtures of the Government of the Democratic Republic of the Congo and its stated intention to conduct economic reform and welcomed the contact that President Kabila had made with the International Monetary Fund (IMF) and the World Bank.

10. President Kabila received my Special Representative, Mr. Kamel Morjane, on 5 March and confirmed the full support of his Government for the deployment of MONUC and the agreement on the disengagement and redeployment of forces. The President also expressed concern over the humanitarian and human rights situation in the eastern provinces of the country.

11. On 9 March, leaders of the Southern African Development Community, meeting in Windhoek, expressed satisfaction at developments in the Democratic Republic of the Congo and congratulated President Kabila for his peace overtures towards the opposition, which had paved the way for the neutral facilitator of the inter-Congolese dialogue to resume his work.

12. Subsequent to President Kabila's visit to IMF and the World Bank in early February, a joint IMF/World Bank team arrived in Kinshasa on 14 March to study the economic situation and draw up a structural readjustment programme. At the conclusion of the visit, the institutions announced that they would consider a resumption of aid to the Democratic Republic of the Congo after a six-month period, during which the Government would conduct basic reforms.

13. From 12 to 16 March, President Kabila visited the United Kingdom of Great Britain and Northern Ireland, Norway, Sweden and Belgium with the aim of strengthening diplomatic relations. During his visit, he stated his intention to reorder the Government, and confirmed his acceptance of Sir Ketumile Masire as facilitator of the inter-Congolese dialogue. He expressed the hope that the national dialogue would lead to the holding of elections, but warned that they could not take place before the country was united, a census was held and the necessary infrastructure put in place. On 16 March, the President of the European Commission, Mr. Romano Prodi, pledged to release euro 120 million in development aid should future talks between President Kabila and the facilitator yield concrete progress.

14. On 16 March, President Kagame met with President Chiluba in Lusaka. The leaders reviewed the decisions taken during the Lusaka summit of 15 February, which President Kagame had not attended. Subsequently, President Kagame met with President Mbeki in Pretoria to discuss issues relating to peace in the Democratic Republic of the Congo and the Great Lakes region.

15. President Kabila visited Geneva to address the Commission on Human Rights on 30 March and held talks with President Chirac, who addressed the Commission on the same day. President Kabila also met with me and gave further assurances of his full

cooperation with the United Nations peacekeeping operation in the Democratic Republic of the Congo. He expressed an earnest desire for peace with his neighbours and indicated that he would be pursuing bilateral contacts with Uganda, Rwanda and Burundi.

16. The Minister for Foreign Affairs of Uganda, Mr. Eriya Kategaya, visited Kinshasa on 3 April and was received by President Kabila. During his visit, Mr. Kategaya announced that Uganda was satisfied that the country's border with the Democratic Republic of the Congo was now secure and was ready to withdraw all its troops. It is anticipated that a meeting between President Kabila and President Museveni will take place within the near future.

Inter-Congolese dialogue

17. President Kabila met with Sir Ketumile Masire during the fifth extraordinary session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU), held at Syrte, Libyan Arab Jamahiriya, on 1 and 2 March, and invited the facilitator to visit Kinshasa for discussions on the modalities of the inter-Congolese dialogue.

18. On 12 March, President Kabila met with a number of Congolese political and civil society representatives to review the regulation of political activity. However, the representatives of some of the major opposition parties did not attend the meeting. Subsequently, the Government established a commission to review Decree-laws Nos. 194 and 195 of 29 January 1999, which restricted political parties and their activities. On 27 March, the Commission Paritaire recommended amendments to the decree-laws, which, if adopted, would allow all political parties registered under a 1990 law to operate.

19. Sir Ketumile Masire arrived in Kinshasa on 18 March, and was welcomed by all Government ministers. The facilitator had a three-hour meeting with President Kabila, followed by a joint press conference during which Sir Ketumile announced that common ground had been reached for the conduct of the national dialogue and that the process would be as inclusive as possible. The facilitator took the opportunity to introduce Mr. Mohamed El Hacen Ould Lebatt, former Minister for Foreign Affairs of Mauritania, who will head his office in Kinshasa.

20. Following his departure from Kinshasa, Sir Ketumile held talks with EU officials in Brussels, where he characterized his meeting with President Kabila as sincere, profound and productive. On 22 March, the EU announced it would release euro 1.9 million in support of the facilitation process.

21. The facilitator returned to the Democratic Republic of the Congo where he visited the eastern part of the country from 29 March to 3 April. He met there with members of the political opposition and civil society. He also met with the leaders of RCD in Goma, and with the Front de Libération du Congo (FLC) in Beni. These discussions were principally concerned with representation in, and the date and venue of, the dialogue. RCD leaders emphasized that all participants in the inter-Congolese dialogue should have equal status in accordance with the spirit of the Lusaka Agreement. The facilitator had previously met, in Johannesburg, with the leader of the Rassemblement congolais pour la démocratie-Mouvement de Libération (RCD-ML) and received, in Gaborone, a delegation from RCD.

22. Between 8 and 10 April, Sir Ketumile visited Kinshasa, where he met with President Kabila as well as representatives of the political opposition and civil society. From Kinshasa the facilitator proceeded to Kananga and Lubumbashi for further consultations with Congolese participants.

Congolese rebel movements

23. In my report of 12 February 2001 (S/2001/128), I noted that three rebel movements had merged to form FLC. The new movement comprises the Mouvement pour la libération du Congo (MLC), RCD-ML and RCD-National (RCD-N), and its leader is Mr. Jean-Pierre Bemba. In a letter dated 5 March 2001 addressed to the Chairman of the Joint Military Commission (JMC), the RCD-ML delegate recalled that RCD-ML and MLC were independent signatories to the Lusaka Agreement and should be treated as such.

24. In a letter dated 23 March 2001 addressed to me, Mr. Bemba informed me of an agreement that Mayi-Mayi groups in North Kivu had allied themselves to FLC and would be forming a "Division spéciale Mayi-Mayi" within the military forces of FLC. The agreement also provides for the opening of camps for Ugandan, Rwandan and Burundian refugees and

requested United Nations logistical assistance in the creation and functioning of the camps.

25. During a visit to South Africa in February, the leader of RCD, Mr. Adolphe Onusumba, declared that peace was now more attainable than it had been in almost three years and that the window of opportunity that had been opened should not be ignored. He urged the warring factions in the conflict to stop procrastinating and meet urgently in order to avert renewed conflict and to show the people that they were mobilizing towards democracy. While in South Africa, Mr. Onusumba held talks with representatives of the African National Congress party, which had indicated its desire to support the peace process in the Democratic Republic of the Congo. The RCD leader also met with the Truth and Reconciliation Commission and the Independent Electoral Commission in South Africa, for discussions on the feasibility of establishing similar institutions in the Democratic Republic of the Congo. Finally, he visited the neutral facilitator in Gaborone.

III. Military developments

26. The military situation has remained generally calm with significant ceasefire violations reported only around Bolomba in Équateur Province. Government and allied commanders have alleged repeated attacks by FLC on their positions near Bolomba and against re-supply ferries moving on the Ikelemba river between Mbandaka and Bolomba. The most serious incidents occurred on 28 February when FAC claimed to have suffered three fatalities and seven injured; on 11 March when 23 allied soldiers were injured on a ferry; and 16 March when a further three allied soldiers were injured. In a letter dated 19 March 2001 addressed to the President of the Security Council, the Permanent Representative of Namibia to the United Nations protested against FLC attacks on allied re-supply missions in the Bolomba area (S/2001/246).

27. Government and allied forces have threatened retaliatory action against FLC, and MONUC has received a report that allied aircraft attacked FLC positions near Bolomba on 15 and 16 March and dropped three bombs on Basankusu on 17 March. The allied Task Force Commander admitted to the air attacks around Bolomba, blaming a local commander who had since been reprimanded. For its part, FLC confirmed that its forces had attacked a ferry on the Ikelemba river on 11 March, but maintained that the allied soldiers on board were acting aggressively.

Withdrawal of foreign forces

28. In accordance with the undertaking given by the Permanent Representative of Rwanda to the United Nations to the President of Security Council on 18 February, troops of the Rwandan Patriotic Army (RPA) began withdrawing from their positions around Pweto in Katanga Province on 28 February. The withdrawal was monitored by a team of MONUC military observers who arrived in the town on 26 February and have remained there. An estimated 3,000 RPA troops moved in a north-easterly direction towards Moba, Pepa and Kalemie, where their arrival coincided with the reported repatriation of three battalions of the Burundian army. Subsequently, MONUC was informed by a senior Burundian official that the Burundese military presence in the Democratic Republic of the Congo was now limited to one battalion in Fizi and a second in Uvira.

29. In accordance with the 20 February announcement of the Government of Uganda, the repatriation of a battalion of the Uganda People's Defence Forces (UPDF) began on 28 February from Buta in Orientale Province. MONUC military observers monitored the outgoing flights. On 21 March, MONUC observers monitored the repatriation of a UPDF battalion from Libenge. Over 1,450 UPDF soldiers have been recorded as departing from Buta and Gemena.

30. On 20 March, a RPA battalion was withdrawn from Manono in Katanga Province to Rwanda. MONUC observers monitored the arrivals at Kigali airport. The Foreign Minister of Rwanda announced that a further 200 RPA soldiers had been repatriated the previous day.

31. The Ugandan Chief of Staff, General Odongo, has informed MONUC that one UPDF battalion from Beni had completed its repatriation to Uganda on 11 April. On 12 April, General Odongo requested MONUC's permission to use Bangoka airport in Kisangani for the repatriation of a second battalion, which is currently based in Bafwasende. On 7 April, a Zimbabwean military spokesman has also announced that Zimbabwe would reduce its troop strength in the Democratic Republic of the Congo by 5,000 men "in the near

future". Some 200 Zimbabwean troops have departed Mbandaka for Kinshasa.

Disengagement of forces

32. Beginning on 15 March, the date set for the start of disengagement in Security Council resolution 1341 (2001), RCD forces withdrew from Pweto to positions 15 kilometres to the east. MONUC observers monitored the withdrawal. In the areas of Ikela, Kananga, Kabinda and Kabalo, MONUC has received reports indicating withdrawals of RCD forces of distances of 15 kilometres and in some cases of much further. Reports have also suggested that RPA has withdrawn to distances consistent with its intention of a 200 kilometre disengagement.

33. On 23 March, the Joint Military Commission (JMC) adopted a supplementary protocol to the Harare disengagement sub-plans to take into account the decision of RCD to withdraw its forces to a distance of 15 rather than 200 kilometres. In the protocol, the parties agreed the new defensive positions for RCD forces, including arrangements for the sensitive areas of Pweto and Ikela airport. The parties further agreed to provide a minimum of one permanent liaison officer at each of the four regional JMCs and authorized the co-location of the regional JMCs in Boende, Kabinda, Kabalo and Lisala with the MONUC sector headquarters established in Mbandaka, Kisangani, Kananga and Kalemie.

34. Withdrawals have been observed on the FAC and allied side, despite a delay in the issuance of disengagement orders. MONUC observers at Dubie, near Pweto, reported a movement of FAC and Zimbabwean troops to new positions at Kamanga, about 15 kilometres south-west of Pweto. Forces armées congolaises troops in Equateur Province have also withdrawn down the Ubangui river from Mokolo towards Buburu. The allied Task Force Commander informed MONUC that allied disengagement from Ikela would be conditional on assurances of continued access to the airport for re-supply purposes. MONUC has rejected such conditionality, suggesting instead that the matter should be raised in JMC. MONUC expects to complete its deployment to Ikela by 20 April.

35. MONUC was also concerned that allied commanders in Kananga had declared that they had received orders for disengagement and redeployment only on 29 March. The Force Commander, General Diallo, raised the matter with the allied command, since the length of delay in FAC and allied disengagement in Kasai could not be attributed to initial confusion or communication difficulties. He was informed that disengagement in the Katanga area would be completed "within a few days" and that all FAC offensive elements were to be withdrawn from Kananga and Équateur.

36. There have been no reports or indications of disengagement by FLC forces. On 15 March, the FLC leader, Mr. Jean-Pierre Bemba, informed the MONUC Force Commander and the JMC Chairman that disengagement orders had been issued for a withdrawal of 15 kilometres from current positions, many of which are up to 100 kilometres forward of the agreed new positions stipulated in the Harare sub-plans. On 23 March, the FLC delegate to JMC announced that his movement would disengage only after: (a) MONUC had deployed in the areas to be vacated by the FLC forces in order to protect the civilian population; and (b) more progress had been achieved in the inter-Congolese dialogue. On 31 March, MONUC transported members of the diplomatic community to make a joint démarche to Mr. Bemba to urge compliance with the disengagement plans and strict adherence to the ceasefire. Mr. Bemba informed my Special Representative on 12 April 2001 that he would begin to disengage his forces, and agreed to MONUC deployment to Basankusu, Befale, Bolomba and Emate-Loa, but threatened to attack FAC if it committed atrocities in the areas vacated by FLC.

37. On 29 March, MONUC initiated the verification process with its monitoring teams based in Kalemie. The efforts of MONUC were hampered by the fact that none of the parties, except RCD-ML, had provided the required information on their current location, troop strength and equipment. In addition, not all the parties had submitted liaison officer details and the regional JMC at Kabalo is yet to be co-located with the MONUC Sector Headquarters in Kalemie. Nevertheless, the disengagement and redeployment of forces has been confirmed in the areas around Pweto, Dubie, Kabinda and Kabalo. The pace of verification will increase with the arrival of additional air assets and greater cooperation at Kalmie and Manono airports.

Armed groups

38. Throughout the past two months, there have been reports of incidents perpetrated by armed groups in the eastern provinces. In mid-February, MONUC received reports of an upsurge of fighting in South Kivu amid persistent rumours that arms had been flown to Shabunda from Kinshasa to support a Mayi-Mayi offensive. During March, a reduction in the activities of the armed groups, in particular the Mayi-Mayi, was noted. This reduction has occurred at a time when large numbers of Mayi-Mayi fighters in South Kivu have reportedly been surrendering to RCD, leading to speculation that many have since been recruited into the RCD military forces. A parallel development occurred in North Kivu where the FLC and Mayi-Mayi militias reached an agreement on 21 March (see para. 24 above).

39. Since the start of the disengagement process, MONUC has received reports of armed group activity in the Pweto and Kabalo areas. Local administrative and military officials in Kabalo claim that after the withdrawal of RPA and RCD forces from Lukula on 17 March, FAC troops and about 70 Mayi-Mayi militiamen entered the area. They also claim that FAC and Mayi-Mayi entered a town recently vacated by RCD forces, arresting nine people for collaboration with RCD and killing two of them in public.

Kisangani

40. Rwanda and Uganda have continued to maintain their forces at a distance of some 100 kilometres from the centre of Kisangani. However, RCD military elements have remained in the city, with its leaders maintaining that security concerns do not allow them to withdraw their forces before the arrival of United Nations troops. MONUC has nevertheless experienced difficulty obtaining a site for the Moroccan guard unit due to deploy to the city on 15 April. RCD were opposed to a MONUC permanent presence at either the port or Bangboka airport. Eventually, RCD leaders were persuaded to release space for a guard unit and facilities for air operations at both Kisangani airports and the ex-Governor's residential complex for troop accommodation.

41. In its letter dated 26 February 2001 addressed to the President of the Security Council (S/2001/174), the Government of the Democratic Republic of the Congo stated that the forces of Uganda, Rwanda and an armed opposition movement had not been withdrawn from Kisangani, contrary to the provisions of resolution 1304 (2000) of 16 June 2000. The Government called for implementation of paragraph 14 of the resolution, which expressed the view that Rwanda and Uganda should make reparations for the loss of life and property damage in Kisangani.

IV. Cooperation with the Joint Military Commission

Co-location of the Joint Military Commission with MONUC

42. The Chairman of JMC, Brigadier Njuki Mwaniki, visited Kinshasa from 12 to 16 March and, inter alia, consulted with Government officials and MONUC on the modalities of relocating JMC from Lusaka to Kinshasa. MONUC indicated the assistance it could provide to JMC in terms of office space and equipment, communications, transport and supplies. The Government of Angola has also indicated its willingness to provide two flights to assist with the relocation. During its plenary session of 4 and 5 April, JMC decided to dispatch an assessment team to Kinshasa on 23 April to discuss the conclusion of a status agreement between the Government of the Democratic Republic of the Congo and JMC and assess physical security requirements for JMC delegates in Kinshasa. The report of the assessment team will be considered by JMC at its next plenary session and recommendations forwarded to the Political Committee.

Development of plans for the withdrawal of foreign forces and the disarmament, demobilization, reintegration, repatriation and resettlement of armed groups

43. At its meeting of 6 April, the Political Committee endorsed the concept of operations and timetable for phase I of the draft plan prepared by JMC for the disarmament, demobilization, reintegration, repatriation and resettlement of armed groups. The Political Committee also approved the concept of the

orderly withdrawal of all foreign forces from the country, including a calendar contained therein.

44. The plan endorsed by the Political Committee states that "the United Nations, acting under Chapter VII of the Charter of the United Nations, in collaboration with OAU, shall constitute, facilitate and deploy a peacekeeping force to track down all armed groups in the Democratic Republic of the Congo. In this respect, the United Nations Security Council shall be requested to provide the required mandate for the peacekeeping force."

45. Under the plan, the JMC, in conjunction with MONUC, would be expected to work out sub-plans for each phase of the operations contained in the plan, that is, identification and verification; enforcement (disarming, quartering and tracking); resettlement; and disarming of civilians. The Chairman of the Political Committee has defined "tracking" as locating and identifying the armed groups.

46. In accordance with the JMC plan on disarmament, demobilization, reintegration, repatriation and resettlement, the parties commit themselves to the process of locating, identifying, disarming and assembling all members of the armed groups and taking all the necessary measures to facilitate their repatriation. The parties also assume full responsibility for ensuring that armed groups operating alongside their troops or on the territory under their control comply with the processes leading to the dismantling of those groups. However, the plan assigns to the United Nations the "primary responsibility and obligation to disarm, assemble and track down" the armed groups. According to the plan, "the United Nations shall work out measures (persuasive or coercive) as are appropriate for the attainment of this objective". All sub-plans are to be completed by 15 May 2001, in accordance with resolution 1341 (2001).

47. The concept for the withdrawal of foreign forces envisages a four-phase timetable for a 180-day period starting from 22 February 2001 (D-Day). During that period, the parties are supposed to provide information on their dispositions to JMC/MONUC; issue withdrawal orders; move to assembly areas; and repatriate their forces. JMC/MONUC is to prepare a plan for monitoring the withdrawal, and MONUC is to verify that repatriation is complete.

48. However, the concept stipulates the following "prerequisites" that must be met before a final withdrawal of foreign forces can take place: the disengagement of forces; the disarmament of armed groups; and the holding of the national dialogue and the establishment of new institutions that will ensure the disarming of illegally armed civilians.

49. The Political Committee also called upon the Security Council to act in further support and enhancement of the disengagement process by immediately authorizing the deployment of additional military observers and related personnel to attain the level of 5,537 military personnel stipulated in Security Council resolution 1291 (2000) of 24 February 2000. It called upon the Security Council to take into account the need to ensure the stability and security of the Democratic Republic of the Congo following the withdrawal of all foreign forces, while planning for the third phase of the deployment of MONUC.

V. Status of MONUC deployment

Current deployment

50. As at 11 April 2001, MONUC had a total of 288 liaison officers and military observers. Within the Democratic Republic of the Congo, in addition to Kinshasa, liaison officers are deployed with the headquarters of the rebel movements (Bunia, Gbadolite and Goma) and the four regional JMCs (Boende, Kabalo, Kabinda and Lisala) (see map and annex). A further 21 liaison officers are stationed in the capitals of surrounding countries. Military observer teams are stationed in 11 locations (Dubie, Gemena, Ikela, Isiro, Kalemie, Kananga, Kindu, Kisangani, Mbandaka, Pepa and Pweto, and at Nchelenge in northern Zambia). In addition, MONUC has formed 29 teams of military observers to verify the disengagement of forces.

51. Sector headquarters are now operational in Kalemie, Kananga, Kisangani and Mbandaka. The first guard unit, provided by Uruguay, arrived on 29 March and is stationed at Kalemie. The second guard unit, provided by Senegal, arrived on 4 April and is based at Kananga. Later this month, a further guard unit provided by Senegal is scheduled to deploy to Mbandaka, and Morocco was scheduled to deploy guard units to Kisangani and Goma (but see para. 4). The deployment will be completed in May with the

arrival of a Tunisian guard unit in Kinshasa. MONUC logistic bases necessary to support the deployment of sector headquarters and guard units are already operational in Kinshasa and Goma and in Bangui in the Central African Republic. South Africa deployed one aero-medical evacuation unit to Kinshasa on 4 April and is scheduled to deploy in May an airfield crash/rescue unit and six aircraft cargo handling teams. Finally, Uruguay plans to deploy the first riverine unit during May and June.

Security

52. The parties have continued to provide satisfactory security for MONUC civilian and military personnel. Since the upsurge of Lendu-Hema fighting in Bunia, UPDF has provided a 24-hour guard for the MONUC premises. In Kinshasa, the Government has, since 15 December, assigned 45 civilian policemen for the protection of the premises and assets of MONUC at its headquarters, logistic base and Kinshasa airport.

53. The most serious threat to the security of United Nations personnel deployed in the field stems from lawlessness and the actions of armed groups. On 27 March 2001, a local staff member of the Office of the United Nations High Commissioner for Refugees (UNHCR) was shot and killed by armed men who stole his vehicle. The attack took place in Kimpese, about 200 kilometres south-west of Kinshasa. In South Kivu, the presence of armed groups has caused international agencies and NGOs to suspend many of their operations, but there have been no incidents that would indicate an increase in this threat during the past two months.

54. On 29 March, the RCD authorities arrested a MONUC local staff member following an incident at Goma airport. The staff member was accused of having distributed national flags of the Democratic Republic of the Congo to local people when the Uruguayan contingent arrived. The staff member was released four days later after intervention from MONUC. It would be prudent to expect more such incidents as MONUC activities intensify.

Cooperation of the parties

55. Liaison meetings held on a weekly basis between MONUC and the Government's Commissariat Général chargé des affaires de la MONUC have continued to yield positive results and good cooperation. On 26 March, the Government advised of the lifting of the requirement for prior notification of MONUC flights within the country. The change allows for MONUC to follow only regular international aviation requirements. Similar freedom of movement has been authorized for navigation on the Congo river between Government and rebel-held areas. MONUC has also been able to take advantage of the new financial law of February 2001 that allows all transactions to be conducted in hard currencies. Accordingly, I note with satisfaction the Government's overall implementation of the practical measures (S/2000/888, para. 51) necessary to initiate MONUC phase II deployment that was transmitted to the Minister for Foreign Affairs of the Democratic Republic of the Congo on 11 September 2000.

56. However, MONUC continues to experience difficulties in negotiations with RCD authorities over the deployment locations of sector headquarters and guard units in Goma, Kalemie and Kisangani. While suitable sites have now been agreed upon in three locations, MONUC is not yet satisfied with the level of cooperation its officials are receiving from RCD, and will continue to encourage the RCD leadership to comply with paragraph 9 of resolution 1291 (2000), by which the Security Council called upon the parties to support actively the deployment of MONUC to areas deemed necessary by my Special Representative. The failure so far to resolve fuel supply questions has resulted in delays for the verification of the disengagement operation in sector four and has imposed a serious de facto limitation on MONUC freedom of movement in RCD-controlled areas, since MONUC helicopters cannot fly. In a meeting with my Special Representative in Goma on 10 April, the RCD leadership promised to give instructions to their local commanders to cooperate with MONUC on this issue.

57. While FLC officials have been largely cooperative with deployed MONUC teams, the FLC Chairman had refused until as late as 12 April to allow the deployment of MONUC military observers to Basankusu. It is hoped that the agreement MONUC reached with the FLC on that day will allow the FLC to meet its commitments.

Next steps

58. In accordance with the Harare disengagement sub-plan, a 56-day period of verification began on 29 March, during which teams of MONUC military observers will verify the disengagement and redeployments sequentially across the four areas identified in the sub-plans in blocks of 14 days each. Once the MONUC teams have finished verifying compliance in one area, they will leave monitoring teams in place. At the conclusion of the 56-day period, MONUC will be fielding a total of 376 officers to conduct continuous monitoring in the four areas.

59. In the implementation protocol to the Harare sub-plans adopted by JMC on 23 March, the parties agreed to provide the location and strength of any military unit or headquarters within 50 kilometres of the disengagement zone.

60. MONUC began the verification process on 29 March in sector IV (Katanga). However not all parties have yet notified MONUC of the appointment of liaison officers, and the regional JMC at Kabalo is yet to be co-located with the MONUC Sector Headquarters at Kalemie. None of the parties, except RCD-ML, have provided MONUC with detailed information on their current location, troop strength and equipment.

61. The task of MONUC has been complicated by the increase in the number of defensive positions in the revised Harare sub-plans, which may require an increase in the number of MONUC military observers.

62. During the disengagement phase, MONUC received information indicating the presence of minefields laid by the belligerent forces to protect their front-line positions. MONUC expects to receive further and more precise information on the locations of such minefields during the verification and monitoring phase. To enable MONUC to maintain proper records as well as conduct mine awareness campaigns for military observers and the civilian population of affected areas, MONUC is considering the establishment of a Mine Action Centre. In view of both the increased number of new defensive positions and the danger of mines, MONUC has also confirmed the need to create additional small coordination centres, possibly located at Basankusu, Boende, Lusambo and Manono, as indicated in my sixth report (S/2001/128).

VI. Humanitarian aspects

63. The humanitarian situation in the Democratic Republic of the Congo continued to be a cause for grave concern despite some marginal improvements. The latest estimates of the Office for the Coordination of Humanitarian Affairs indicate that the total number of displaced persons has decreased over the last four months from 2 million to 1.89 million. Of these, 1 million are currently located in North and South Kivu. Approximately 80 per cent of the displaced persons in South Kivu are children.

64. UNHCR reports that there are over 338,433 Congolese refugees in neighbouring countries, including 114,436 in the United Republic of Tanzania, 83,680 in the Republic of Congo and 56,000 in Zambia. The total estimated number of refugees currently in the Democratic Republic of the Congo is 329,815 (with 178,265 Angolans, 73,035 Sudanese, 42,470 Rwandans and 20,000 Burundians). Less than half of the displaced person and refugee population in the Democratic Republic of the Congo receives direct relief assistance.

65. The number of persons in critical need of food remains at an estimated 16 million. The situation is particularly grave in Kinshasa where over half of the 7 million inhabitants live on less than $1 per day. In many areas, the greatest challenges are not related to the production of food, but rather to the means of moving it to centres of population. Over the past six months, however, the situation in the eastern provinces has been aggravated by the fact that the production of manioc, which constitutes 70 per cent of the daily food intake of the people, has plummeted owing to disease and conflict. The resultant population displacement has led to the once fertile areas such as Shabunda and Walikale in the Kivus and Kabinda in Kasai becoming areas where malnutrition is rife.

66. The public health situation in the Democratic Republic of the Congo has continued to decline. Some 37 per cent of the population remains without access to essential medical facilities and less than 47 per cent has access to safe drinking water. The child mortality rate is very high (127 per 1,000 live births) and overall vaccination coverage remains low (tuberculosis: 30 per cent; polio: 22 per cent; measles: 24 per cent). Recent government statistics indicate that 2 million people are infected with the AIDS virus, which is twice as many as in 1999. The eastern provinces have the highest

rates, the number of people infected with AIDS having increased fivefold (from 4 to 22 per cent) over the past two years in towns such as Goma, Bukavu and Beni. On 3 March, the government authorities launched a nationwide awareness campaign in an attempt to control the most common illnesses in the country. One of these is malaria, which kills up to 200,000 people a year, 20 per cent of whom are children.

67. The European Union, the principal donor to the Democratic Republic of the Congo, has donated euro 35 million as emergency humanitarian assistance for interventions in the agriculture, food and health sectors. In February 2001, the Government of the United States of America announced a donation of $10 million for emergency assistance ($3.5 million for UNHCR, and $2 million for the Office for the Coordination of Humanitarian Affairs). During the reporting period, the Vice-Minister for International Cooperation of the Democratic Republic of the Congo signed the Protracted Relief and Rehabilitation Operation agreement with the World Food Programme (WFP) for assistance valued at $112 million. Under the operation, WFP aims to provide food assistance to 1.4 million beneficiaries in 2001 and 1.16 million during 2002. The United Nations Development Programme (UNDP) also signed an agreement with the Government covering a $4.6 million cooperation programme; these funds will be used to set up micro-credit programmes, implement AIDS prevention programmes and train local non-governmental organizations (NGOs), principally in Bandundu and Bas Congo provinces.

68. Of the $140 million sought in the Consolidated Appeal for the Democratic Republic of the Congo for 2001, about $31 million had been received as of the end of February 2001. Of the requirements of WFP, the United Nations Children's Fund (UNICEF) and the Food and Agriculture Organization of the United Nations (FAO) given in the Appeal, only 17, 22 and 18 per cent, respectively, have currently been met.

69. A joint mission organized by the Office for the Coordination of Humanitarian Affairs was dispatched to Ituri from 14 to 19 February with the aim of gathering information on the humanitarian situation and supporting initiatives to ease tensions between the various communities. Among the assistance measures planned was the provision of clothing to encourage displaced persons to present themselves for other relief programmes. UNICEF will provide 10 tons of therapeutic milk (enough for a three-month supply) and quantities of blankets and school kits. UNICEF and the Office for the Coordination of Humanitarian Affairs/Emergency Humanitarian Interventions (EHI) will combine efforts to collect and transport plastic sheeting; and UNICEF and the World Health Organization (WHO) will organize micro-planning and training sessions to doctors of the 18 health zones in Ituri district. Routine immunization programmes will resume shortly.

70. Whenever possible, MONUC has provided logistical support for humanitarian programmes and, since the beginning of January, three tons of medicines and other emergency goods have been carried by MONUC aircraft. The mission has also continued to utilize vacant seats on its flights for the family reunification programme, medical evacuations or other compelling humanitarian reasons. More than 500 citizens have benefited from this service over the past six months.

71. The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Kenzo Oshima, visited the Democratic Republic of the Congo from 5 to 11 April, and was expected to brief the Security Council on his visit shortly after his return. During his visit, Mr. Oshima was able to exchange views with the Government, United Nations agencies and the International Committee of the Red Cross (ICRC) and NGOs and to make several field visits to apprise himself of the dire humanitarian needs in the country.

VII. Human rights

72. Although the human rights situation throughout the territory of the Democratic Republic of the Congo continued to give cause for great concern, there have been discernible improvements in the attitude of the Government regarding respect for human rights as well as some reduction in violence and ethnic tension in the eastern provinces.

73. President Kabila has continued to demonstrate a commitment to pursue a more energetic human rights agenda. In the period since my last report, the President decreed the immediate closing of all non-judicial detention centres, established a commission to review decree-laws Nos. 194 and 195 on political activities and non-profit organizations, and invited the Special

Rapporteur to visit and to resume his monitoring of the situation on human rights in the Democratic Republic of the Congo. In addition, President Kabila met with the United Nations High Commissioner for Human Rights on 29 March and addressed the Commission for Human Rights in Geneva on 30 March.

74. The Government of the Democratic Republic of the Congo announced the convening of a national conference on human rights in early May. The conference will discuss openly the human rights situation in the country. It will propose a new national plan of action for human rights and make appropriate recommendations on mechanisms for establishing accountability and the rule of law. Human rights groups, academics, church leaders, international organizations as well as non-governmental organizations will participate in the conference.

75. Despite these positive developments, the period immediately following the assassination of President Laurent-Désiré Kabila was a time of unrestrained human rights abuse by the members of the armed forces and security agencies. Regrettably, no judicial inquiry has been established to investigate and prosecute all those suspected of involvement in the assassination. Conducting extrajudicial investigations tainted by political considerations does not guarantee the accused minimum requirements of transparency, objectivity and impartiality. As a consequence, there have been many reports of targeted killings and disappearances of people of South Kivu ethnic origin, civilians appearing before military inquisitors and the deplorable case of 10 Lebanese nationals abducted on 16 January and summarily executed. I trust the Government will fulfil its undertaking to deal with the perpetrators of this crime in accordance with the relevant provisions of the law of the Democratic Republic of the Congo.

76. The Government admitted also that Commandant Masasu, a former close ally of the late President Laurent-Désiré Kabila, had in fact been executed last year. He had been tried by the Court of Military Order in November 2000 and executed shortly thereafter for plotting to overthrow the Government. The confirmation of his execution was in shocking contrast to the formal denial in a communiqué issued by the FAC Chief of Staff on 16 December 2000.

77. In the eastern provinces of the Democratic Republic of the Congo, the situation continued to be particularly troubling owing to the absence of governmental structures in rebel-controlled territory and the lawlessness of armed groups. There have nevertheless been indications that both main rebel movements have acknowledged international protests over flagrant breaches of human rights in areas under their control. FLC hosted a gathering of leaders of civil society and international representatives in Butembo on 24 February 2001 to discuss the restoration of peace and human rights. For its part, RCD has taken steps to improve its administration, and some 120 local officials have been receiving training on good governance in Kigali.

78. While the reported number of incidents and attacks by armed groups has fallen over the past two months, a culture of violence continues to pervade South Kivu. In response to pleas from Banyamulenge communities alleging that they were on the verge of being exterminated by Hutu fighters and Mayi-Mayi groups, MONUC dispatched two human rights officers to Bukavu. According to their findings, the situation in South Kivu is one of generalized terror where all sides have had recourse to killings, rape, the burning of homes, intimidation, kidnappings and the use of landmines. These atrocities are deemed to be deliberate strategies to induce flight and/or eliminate rival groups. Militia leaders act with impunity and arbitrary detentions, disappearances and extrajudicial executions are commonplace. There was compelling testimony that Mayi-Mayi and Interahamwe militias had committed frequent atrocities against civilian communities identified with the Tutsi ethnic group and the Rwandan occupying forces, particularly in the Kaluzi-Biega, Ruzuzi plain and the Haut Plateau areas of South Kivu. The hatred and violence is of a genocidal character.

79. The agreements and contacts (see para. 19 above) established over the past two months between FLC and RCD and many of the Mayi-Mayi militias in North and South Kivu may account partially for the decrease in the number of incidents reported to MONUC. Dialogue with the militias is a positive development that should lead to a less anarchical situation in the Kivus. It would, however, be a matter of regret if the agreements reached transpired to be mere changes of alliance rather than a means of facilitating disarmament and the rehabilitation of militiamen into society.

80. The north-eastern region of Ituri has remained tense but without any further violent clashes between

ethnic Hemas and Lendus following the brokering of a pact between the two tribes by FLC Chairman Jean-Pierre Bemba on 17 February. The agreement provides for an immediate cessation of hostilities, dismantling of the training centres for militiamen, control of military movement and border crossings, setting up of peace tribunals and rehabilitation of prisons. Pursuant to the agreement, FLC will ensure security for the free movement of goods and people. Collective grazing rights in the disputed territory of Djugu will be restored and a solidarity fund will be established to rehabilitate areas wrecked by the conflict. Both ethnic groups will send representatives into the rural areas to sensitize residents on peaceful coexistence and mutual tolerance. The region will also have two vice-governors, one each from the Hema and Lendu tribes, with the governor coming from a different tribe.

81. A report completed by MONUC human rights officers indicates that the above agreement is being respected but concludes that, unless actions are undertaken by the international community to diffuse tension, further violent and uncontrolled confrontations can be expected. The report further concludes that breaking the spiral of violence in the Bunia area requires the withdrawal of Ugandan forces and the establishment of strong local administrative structures. The report proposes the establishment of an independent international commission of inquiry to investigate the underlying causes of the ethnic conflict as well as the deployment of additional MONUC human rights officers and military observers in Bunia.

82. The Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garreton, visited the country from 11 to 21 March. At the conclusion of his visit, the Special Rapporteur reiterated his call for the release of the remaining political prisoners and journalists, the abolition of the Court of Military Order and the abolition of the death penalty. He vigorously condemned the extrajudicial killing of the 10 Lebanese nationals, the execution of Commandant Masasu and the gross violation of human rights in the rebel-held territories. While he welcomed the Government's new human rights initiatives, he expressed the hope that they were not just rhetorical commitments but discernible changes in the Government's attitude and its willingness to accept the inevitability of democratic rule with appropriate enforcement mechanisms.

VIII. Child protection

83. The recruitment of children into armed forces and various warring groups remains a serious concern. MONUC has continued to report regular sightings of child soldiers all over the Democratic Republic of the Congo.

84. Since reports continue to indicate that between 15 and 30 per cent of newly recruited combatants are children under 18 years of age (with a substantial number less than 12 years of age), UNICEF is undertaking a comprehensive study on the protection of children in the eastern provinces. In addition, an awareness-raising campaign is being prepared with a view to sensitizing local authorities and civil society on the rights of children and the prevention of the recruitment of children into armed forces/groups, as well as building support for the disarmament, demobilization and reintegration of child soldiers.

85. As I mentioned in my fifth report (S/2000/1156, para. 75), a considerable number of Congolese children were taken in August 2000 from the Bunia, Beni and Butembo areas of the Democratic Republic of the Congo to Uganda for military training at the Kyankwanzi camp. The Government of Uganda has since granted UNICEF access to these children. UNICEF is working closely with ICRC which has started the process of family tracing by sending Red Cross messages to the different communities. As soon as information is received from the families concerned, ICRC will proceed with the reunification of children with their families. In the meantime, 163 children are in a temporary transit centre in Masindi district and are being cared for by UNICEF Kampala. ICRC has agreed to provide UNICEF with all pertinent information to facilitate a pre-reunification campaign as well as post-reunification monitoring.

86. In what was a first step towards the implementation of the 9 June decree on demobilization, the late President Laurent-Désiré Kabila granted access to FAC military camps for the initiation of the disarmament, demobilization and reintegration process for child soldiers. With the concurrence of the Ministry of Defence, a team of enumerators travelled to a number of military camps during February and March to begin the disarmament, demobilization and reintegration process. Regrettably, information on the granting of access did not appear to have been received by the commanders of the camps, making it impossible

for the teams to make progress. The Ministry of Defence is attempting to overcome the deadlock through a sensitization seminar organized with support from UNICEF.

87. Among their other activities, MONUC child protection advisers are supporting the committee set up by the Minister for Human Rights of the Democratic Republic of the Congo in drafting a national plan for the disarmament, demobilization and reintegration of vulnerable groups, including child soldiers. After reviewing proposals from the 1999 international forum on disarmament, demobilization and reintegration, the UNICEF regular country programme and the joint project of the International Labour Organization (ILO) and World Bank, the committee will recommend a mechanism for the coordination of the process.

88. On 3 April, following talks with MONUC and UNICEF, the RCD authorities initially agreed to the demobilization and reintegration of a total of 667 child soldiers. The children are currently with the RCD armed forces at the Kamana training camp in Kasai Oriental Province, and the Mushaki camp in Masisi. No releases have yet taken place. MONUC and UNICEF, together with ICRC and NGOs, are continuing to press for the full adherence by RCD-Goma to resolution 1341 (2001) concerning the ending of the recruitment, training and use of children in the war effort.

IX. Financial aspects

89. As indicated in paragraph 68 of my sixth report (S/2001/128), the General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the total amount of $200 million to cover the mission's immediate requirements and to enable it to initiate logistical preparations for the phased deployment of the formed military personnel. By its subsequent resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of $58.7 million committed for MONUC during the period ending 30 June 2000, authorized me to use during the period beginning 1 July 2000 the amount of $141.3 million, representing the balance of the commitment authority provided for MONUC in resolution 54/260 A.

90. Pursuant to Security Council resolution 1341 (2001), I have requested the concurrence of the Advisory Committee on Administrative and Budgetary Questions in entering into additional commitments for the mission in the amount of some $50 million to support the deployment of military guard units, additional military observers and civilian personnel, as well as to enable MONUC to complete the necessary logistical arrangements, including contracting additional air assets.

91. My proposed budget for MONUC for the current financial period ending 30 June 2001 is under preparation and will take full account of the additional resource requirements arising from its revised concept of operations. I shall request the General Assembly to take action on the budget as well as on the financing of the mission's activities for the 2001-2002 financial period beginning on 1 July 2001, in May 2001, during the second part of its resumed fifty-fifth session.

92. As at 31 March 2001, unpaid assessed contributions to the MONUC special account amounted to $33.5 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,371.4 million.

X. Next steps

93. The steps taken so far by JMC and the Political Committee to comply with the requirement in resolution 1341 (2001) to produce plans for the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo and for the disarmament, demobilization, reintegration, repatriation or resettlement of the armed groups identified in the Lusaka Agreement are described in paragraphs 43-49 above.

94. However, considerable additional work will need to be done in order to produce plans that can serve as a suitable basis for a MONUC mandate in an eventual third phase of deployment. MONUC has advised JMC and the Political Committee that the United Nations is unlikely to endorse a plan which assumes that it will "enforce" disarmament under a Chapter VII mandate. It is also doubtful that the troops and resources necessary to implement such a mandate would be made available even if it were adopted. Furthermore, the inclusion of preconditions for the withdrawal of foreign forces casts doubt on the validity of the withdrawal timetable. Nevertheless, it may be worthwhile, even at this stage, to consider what might be required in the event of a third phase of operations, as originally envisaged in my report of 15 July 1999 (S/1999/790).

Entry into phase III

95. While phase II is essentially a technical military operation of relatively limited scope, phase III could potentially require a significant expansion in the mandate and the size of MONUC.

96. MONUC is well aware of the enormous challenges that would accompany a potential third phase of operations and a number of steps have already been taken to examine the conditions under which an approach towards disarmament, demobilization, reintegration, repatriation or resettlement could be developed. Pursuant to resolution 1341 (2001), a number of parallel initiatives were launched by JMC, MONUC and the Department of Peacekeeping Operations. The Chairman of JMC has established a working group on disarmament, demobilization, reintegration, repatriation or resettlement that has started outlining the necessary parameters. MONUC has established a joint military/civilian team to work on the technical aspects and will establish a special unit to support the planning and implementation of the programme. On 2 and 3 April, the Department of Peacekeeping Operations organized a seminar on the issue involving leading academics and concerned NGOs. The Department of Peacekeeping Operations has also sent two specialist teams — of logistical experts and military planners — to the Democratic Republic of the Congo to assist MONUC in its planning.

97. The future mandate of MONUC should take into account the serious difficulties expected to arise during and immediately after the implementation of the Lusaka Ceasefire Agreement and the role MONUC can play in helping to resolve those difficulties. During the third phase, three major tasks are to be accomplished, in accordance with the Lusaka Ceasefire Agreement: the withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo; the securing of the borders of the Democratic Republic of the Congo with Uganda, Rwanda and Burundi; and the disarmament, demobilization, reintegration, repatriation and resettlement of the armed groups. In fact, however, there are already indications that, difficult as these tasks will be to carry out, MONUC may well have to incur additional obligations and risks which will be more exacting still.

Withdrawal of foreign forces

98. MONUC currently has neither the mandate nor the strength to assume responsibility for the security of the civilian population. However, in the event that all foreign forces withdraw from the territory of the Democratic Republic of the Congo, the question of responsibility for the security of the civilian population must be addressed. It may be necessary for the parties, in consultation with MONUC and perhaps the neutral facilitator, to devise mechanisms for local administration, including the security of local populations in the areas to be evacuated by foreign forces.

99. Part of the problem relates to the need for interim civilian administration and the provision of basic services. In addition, the vacuum left by the withdrawal of foreign forces in some areas may permit the resurgence of conflicts which the presence of those forces may have helped to keep in check. In this context, the situation of the Banyamulenge in South Kivu (see para. 78 above) is of particular concern.

100. The risk that during and after phase III the civilian population could continue to suffer violence, displacement, lawlessness and deprivation cannot be ignored. Initial indications of the situation in the eastern part of the country suggest that this could indeed be the case unless proper measures are taken to prevent such an eventuality. It will be necessary at the appropriate time to discuss with the parties to the conflict what those measures should be and how to put them in place.

101. Even if adequate security were assured, the problems of providing humanitarian assistance would immediately become apparent. The scale of the humanitarian problems in the areas already accessible is immense. The plight of the populations in the inaccessible areas may be far worse. As MONUC deploys in areas which are currently inaccessible, it is sure to encounter hunger, disease, poverty and deprivation at horrifying levels, affecting hundreds of thousands or millions of people. The restoration of peace and national reconciliation will simply not be possible unless rapid and effective steps are taken to mitigate the worst of these evils. Planning for the necessary efforts to do so must begin now, on the basis of the findings of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, who has just returned from a visit to the

country. An important step in this direction could be the reopening of the internal waterway system which, if it could be achieved, would both improve internal communications and promote confidence-building.

102. Human rights throughout the Democratic Republic of the Congo have long been under serious threat, as is made clear in section VII above. The withdrawal of foreign forces could be accompanied by fresh human rights violations in a climate of confusion and impunity. It may be necessary to consider what further steps MONUC and the parties might take to avert and address human rights violations.

Disarmament and demobilization of armed groups

103. The tracking down of armed groups and their disarmament by force are not peacekeeping functions. In my report of 15 July 1999 (S/1999/790) I stated that there was no military solution to the problems posed by the armed groups, and that is still my view. Any recommendation I make concerning the assistance MONUC can provide to the disarmament, demobilization, reintegration, repatriation or resettlement process will be based on the assumption that MONUC will not be called upon to use enforcement action. In some cases, it is anticipated that armed groups/elements serving with allied forces may present themselves to MONUC for voluntary disarmament and demobilization. MONUC may be called upon to assist accordingly.

104. The nature and operational requirements of the disarmament, demobilization, reintegration, repatriation or resettlement plan to be submitted by the parties are not yet known in sufficient detail. At the current stage, not enough is known of the armed groups, their numbers, their weaponry, their location, their command structures and leadership and their likely intentions to make it possible to draw up a detailed operational plan for immediate implementation, even if the resources were available. At the same time, some of the solutions that are contemplated for these groups require the fulfilment of important political preconditions. On the basis of information provided by the parties, MONUC will need to coordinate with the various other humanitarian and developmental initiatives regarding reintegration and reconstruction in supporting the efforts of the parties to formulate a "master plan" for disarmament, demobilization, reintegration, repatriation or resettlement. This master plan will culminate in the incorporation of efforts for disarmament, demobilization, reintegration, repatriation or resettlement in regular development activities at the earliest possible time.

105. All parties to the conflict in the Democratic Republic of the Congo have had recourse to child soldiers, and the armed groups are no exception. The exact number of child soldiers in the Democratic Republic of the Congo is unknown, but is feared to be extremely high. Children have been among the most vulnerable of all the victimized groups in the Democratic Republic of the Congo, and in the event that phase III is undertaken a major effort will be required throughout the country to rescue and care for them and to reunite them with their families if possible. It is important to stress that while the situation concerning child soldiers is extremely critical, the suffering and needs of the millions of children who did not become child soldiers cannot be ignored. Plans for reintegration must take into account the needs of internally displaced children, young girls and disaffected youth, or other groupings that are developing political overtones. The Under-Secretary-General for Children and Armed Conflict intends to visit the Democratic Republic of the Congo in the very near future, as called for by the Council in resolution 1341 (2001). Any recommendations made in connection with this problem for a possible future role for MONUC will be based on his findings.

106. The risks of dealing with the armed groups cannot be overestimated. For example, the former Rwandan Government forces (former Forces armées rwandaises, or ex-FAR) and Interahamwe militia carried out the Rwandan genocide of 1994 and were responsible for the killing of 10 Belgian peacekeepers. These groups have continued to fight ever since in the remote forests of the Kivus. They have carried out murderous raids into Rwanda itself. They fought in the war of 1996-1997 and in the current war, which began in 1998. There is credible evidence that they are closely allied to the Burundese rebel groups and may have taken part in the fighting in Burundi. A number of their leaders may be under indictment by the International Criminal Tribunal for Rwanda. Very little is known of their leadership and command structure, their relationships with other groups, their numbers or

their armament. They are believed to be heavily armed and must be considered extremely dangerous.

Border security

107. The United Nations will not be in a position to secure the border between the Democratic Republic of the Congo, Uganda, Rwanda and Burundi by military means. These borders can be considered truly secure only if all four countries are at peace with one another and none allows its territory to be used as a springboard for attacks on any other. That must be a matter for the Governments concerned. However, it is recognized that effective border control is a prerequisite for stability and peace in the Great Lakes region as a whole.

108. In the matter of border security, and in other aspects of a potential third phase as well, the impact of the implementation of the Lusaka Agreement on the situation in Burundi cannot be neglected. While an analysis of that impact is beyond the scope of the present report, the situation in Burundi is closely linked with that in the Democratic Republic of the Congo.

Importance of the Kivus

109. North and South Kivu are the focus of most current armed group activity. The Kivus form most of the border area between the Democratic Republic of the Congo and its eastern neighbours, Uganda, Rwanda and Burundi. The Kivus are also home to a lively and diverse civilian society, with numerous church-based and human rights-oriented organizations. The Mayi-Mayi militias, some of which have recently signed an agreement with FLC, are an important factor in the Kivu equation and must be included in the planning process for a comprehensive programme for disarmament, demobilization, reintegration, repatriation or resettlement. In the context of the Democratic Republic of the Congo and future MONUC operations there, the Kivus have great strategic significance. They could also pose serious potential risks, including the plight of the Banyamulenge (see para. 78 above).

110. The Security Council has already declared itself ready to support a possible deployment of MONUC in Goma and Bukavu, in North and South Kivu respectively. MONUC already has a logistical base in Goma, but no other presence at this point in the Kivus. In particular, progress in the inter-Congolese dialogue could have a positive effect on the conduct of the disarmament, demobilization, reintegration, repatriation or resettlement exercise in the Kivus. Given the importance of the Kivus, it might be necessary for MONUC to pay special attention to the political, human rights, humanitarian and security situation in the two Provinces.

XI. Observations

111. After a long period of apparent stagnation since the first deployment of MONUC in September 1999, much has changed since the beginning of 2001. Phase II has been launched, though compliance in some areas leaves much to be desired. In this context, I deplore the obstructive attitude of the RCD authorities in blocking the deployment of the Moroccan contingent to Kisangani. MONUC deployment should not be made conditional on any factor, including the investigation of alleged ceasefire violations. RCD must permit the deployment of MONUC troops without further delay, fully restore its cooperative relations with MONUC and desist from further harassment and obstruction. The international community has waited long enough for progress in resolving the conflict in the Democratic Republic of the Congo, and will have little patience for yet further delay from this source.

112. I also urge FLC to work with MONUC, FAC and Government authorities to find ways of fulfilling its commitment to disengage its forces in accordance with the revised Harare plan in such a way that the security of the local populations concerned is protected.

113. It is now necessary for all parties to follow up on the steps some of them have taken so far by pulling back to their new defensive positions, appointing liaison officers to work with MONUC and providing the necessary details of their strength and dispositions so that MONUC can continue the verification operations it has begun.

114. If all the above actions are carried out, the second phase of MONUC's deployment will be substantially complete. The third phase, however, could be incalculably more difficult, complex, risky and expensive. Nevertheless, I believe the Security Council should contemplate entering phase III, once the necessary conditions are in place, on the basis of

thorough preparation and planning. The momentum generated by a successful disengagement of forces should not be lost. Nor should the forces be permitted to make their new defensive positions permanent. Both the Lusaka Ceasefire Agreement and resolutions 1304 (2000) and 1341 (2001) require the full withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo, and the Governments concerned must be held to full compliance with their commitments.

115. I welcome the bilateral contacts that have taken place between the Democratic Republic of the Congo and Uganda, as well as between the other parties. I earnestly hope that the disengagement process and progressive repatriation of battalions will generate more confidence. While the plan for the withdrawal of all foreign forces awaits completion, I am confident that continued implementation of the Lusaka Agreement and the Kampala/Harare disengagement plans, further bilateral contacts and a joint commitment to address the issue of the armed groups in the eastern provinces constitute the surest way of achieving a lasting settlement and the withdrawal of all foreign troops from the Democratic Republic of the Congo. I would encourage the Governments of the Democratic Republic of the Congo and Rwanda to pursue dialogue to that end.

116. MONUC and the Department of Peacekeeping Operations will continue their information-gathering and assessment of the situation in the eastern part of the Democratic Republic of the Congo and their planning for a possible phase III, in full cooperation with the parties. In this context, the Security Council mission to the Democratic Republic of the Congo in the latter part of May will be an invaluable opportunity for members to examine the emerging situation there at first hand and to determine what action may be needed to facilitate the initiation of phase III.

117. I intend to submit a report to the Council before 15 June 2001, the end of the current mandate of MONUC, and to include in that report recommendations for ways in which MONUC and the United Nations can assist the parties in carrying out workable plans for the withdrawal of foreign forces and the disarmament, demobilization, reintegration, repatriation or resettlement of armed groups. Those recommendations will be based on the best information available at the time, including any conclusions reached by the Security Council on the basis of the report of its mission to the Democratic Republic of the Congo, as well as all the information to be made available by the parties.

118. Precisely what those recommendations will contain cannot be indicated at this time. However, I take very seriously the dangers that might confront those populations with the departure of the foreign forces, which is imperative, and I believe members of the Council share those concerns. Nor can any observer fail to be moved by the overwhelming humanitarian needs of all the people of the Democratic Republic of the Congo and the enormity of the human rights violations inflicted on women, men and children alike. Therefore, the United Nations should examine what it can do to help prepare for the situation which may develop in the Democratic Republic of the Congo following the withdrawal of foreign forces, which are now responsible for the security of the civilian population in the areas under their control.

119. I should like to express my appreciation to my Special Representative, Mr. Kamel Morjane, to the MONUC Force Commander, General Diallo, and to all the personnel of MONUC, civilian and military, for the efforts they continue to make to restore peace to the Democratic Republic of the Congo.

Annex

United Nations Mission in the Democratic Republic of the Congo: as at 11 March 2001

	Military observers	*Staff officers*	*Total*
Algeria	6		6
Bangladesh	9	7	16
Benin	14	2	16
Belgium		1	1
Bolivia		1	1
Burkina Faso	2		2
Canada	1	5	6
China	4		4
Czech Republic	3		3
Denmark	1	1	2
Egypt	24	1	25
France	2	2	4
Ghana	4		4
India	18		18
Jordan	11		11
Kenya	18	4	22
Libyan Arab Jamahiriya	1		1
Malawi	13		13
Malaysia	7	11	18
Mali	1		1
Morocco		4	4
Mozambique	2		2
Nepal	16	1	17
Niger	2	1	3
Nigeria	9	1	10
Pakistan	18	9	27
Peru	3		3
Poland	2		2
Romania	16	1	17
Russian Federation	10		10
Senegal	8	17	25
South Africa	1	1	2
Sweden	2		2
Switzerland		1	1
United Republic of Tanzania	4	1	5
Tunisia	15		15

	Military observers	*Staff officers*	*Total*
United Kingdom of Great Britain and Northern Ireland		5	5
Ukraine	6		6
Uruguay	19	13	32
Zambia	5		5
Total	**277**	**90**	**367**

Map No. 4121 Rev. 8 UNITED NATIONS
April 2001

Department of Public Information
Cartographic Section

United Nations S/2001/374

Security Council

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Letter dated 16 April 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 15 April 2001 from Mr. Humam Abd al-Khaliq Abd al-Ghafur, Minister of Information and Acting Minister for Foreign Affairs of the Republic of Iraq, concerning the delimitation of the continental shelf between Iran and Kuwait. The letter states that the delimitation of international boundaries in the boundary triangle common to three countries cannot be carried out by two of them while excluding the third. It points out that it is ironic that while Iran is affecting ignorance of this fact it is at the same time strenuously opposed to any delimitation of the continental shelf in the Caspian Sea by other countries while excluding Iran. It does so in accordance with the official position of the Iranian Government, as the letter makes clear.

The Minister affirms Iraq's outright rejection of any agreement that is prejudicial to its legitimate rights with respect to the continental shelf, and he expresses the hope that you will once again inform Iran and Kuwait that it is necessary to comply with the relevant international covenants.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-33828 (E) 200401 200401

Annex to the letter dated 16 April 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

I refer to my letter dated 14 August 2000 addressed to you (S/2000/821, annex) concerning the delimitation of the continental shelf between Iran and Kuwait.

Despite the concern we expressed in our aforesaid letter for compliance with the Charter of the United Nations and the 1982 United Nations Convention on the Law of the Sea with a view to ensuring stability and security in the region and the welfare of its peoples, we have noted that our desire for this has not been met with the same good faith entertained by Iraq in maintaining that all the countries concerned must participate in the delimitation of the continental shelf, that is to say Iraq, Iran and Kuwait.

We have considered the letter dated 26 December 2000 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to you (S/2000/1243), which displays a strange disregard for the norms of international law and, in particular, for the Convention on the Law of the Sea.

The statements of the Permanent Representative of Iran to the effect that Iraq's plea for the participation all the States that have an interest in the continental shelf "lacks legal basis" and that Iran regards "the reference to article 83 of the 1982 United Nations Convention on the Law of the Sea in Iraq's letter as an irrelevant justification for the baseless perception" are themselves to be regarded as having been made in deliberate disregard and indeed in breach of an important international convention that, with its ratification by a majority of States and their accession to it, has become part and parcel of international custom.

The delimitation of international boundaries in the boundary triangle common to three countries cannot be carried out by two of them while excluding the third. This is because the determination of the boundary tripoint will be affected by any agreement reached by two countries while excluding the third. This is an established rule in international intercourse that has been cited in the decisions of international tribunals.

It is ironic that while Iran is affecting ignorance of this fact it is at the same time strenuously objecting to any delimitation of the continental shelf in the Caspian Sea that is carried out by other States while excluding Iran. We should like in this connection to refer to a report disseminated by the Islamic Republic News Agency (IRNA) on 8 April 2001 and carried by Agence France-Presse. It states that on the previous Sunday IRNA had said that the Russian envoy for the Caspian region, Viktor Kalyuzhny, had held talks in Tehran with a senior official in the Ministry of Foreign Affairs that had focused on the legal regime of the Caspian Sea, whose shores are divided among several countries; that IRNA had added that Kalyuzhny had spoken with Iranian Deputy Foreign Minister Ali Ahani about their countries' respective positions on the legal regime of the Caspian; that the Russian envoy had arrived in Tehran after a tour of the other Caspian countries, which are, in addition to the Russian Federation, Azerbaijan, Kazakhstan and Turkmenistan; that Iran had stressed that it rejected any [bilateral] accords on the Caspian Sea; that the Iranian Ministry of Foreign Affairs had called for agreement on a new legal regime for the Caspian to complement that already in existence; and that the Iranian Ministry of Foreign Affairs had stressed that it recognized only the agreements signed by Iran

and the Soviet Union, that it rejected any modification of those agreements by means of bilateral contacts and that it would insist on reaching a common accord.

What applies to the legal arguments and ascriptions we have mentioned also applies to the statements made in the letter dated 4 April 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to you (S/2001/330).

In the light of the foregoing, we once again reiterate that Iraq rejects outright any agreement that is prejudicial to its legitimate rights with respect to the continental shelf and that the stability and security of the region can only be assured in a framework of compliance with international law and respect for its norms and of cooperation among the countries of the region for the achievement of this goal.

We express the hope that you will once again inform Iran and Kuwait that it is necessary to comply with the relevant international covenants, and we request you to have this letter circulated as a document of the Security Council.

(*Signed*) Human Abd al-Khaliq **Abd al-Ghafur**
Minister of Information and Acting Minister for Foreign Affairs

United Nations A/55/903–S/2001/375

General Assembly
Security Council

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General Assembly
Fifty-fifth session
Agenda items 40 and 41

The situation in the Middle East

Question of Palestine

Security Council
Fifty-sixth year

Letter dated 18 April 2001 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you the press communiqué issued by an official source in the Ministry of Foreign Affairs of the United Arab Emirates stating the position of the Government of the United Arab Emirates condemning the aggression committed by the Israeli forces against Lebanese territory on 16 April 2001 and their reoccupation of areas in the Gaza Strip.

I should be grateful if you would have this communiqué circulated as a document of the General Assembly, under agenda items 40 and 41, and of the Security Council.

(*Signed*) Mohammad J. **Samhan**
Ambassador
Permanent Representative

01-33767 (E) 180401 180401

Annex to the letter dated 18 April 2001 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General

Communiqué issued by an official source in the Ministry of Foreign Affairs of the United Arab Emirates

The United Arab Emirates condemns the attacks on Lebanese territory carried out by aircraft of the Israeli forces on 16 April 2001, which resulted in the destruction of a Syrian radar installation and the death or wounding of at least five soldiers. The United Arab Emirates considers this Israeli attack to be a flagrant violation of international law and a threat to security and stability in the Middle East and reaffirms its full solidarity with Syria and Lebanon in confronting the ongoing Israeli violations of the sovereignty of Lebanese territory.

We also call upon the international community to endeavour to halt these Israeli attacks and to implement resolutions 242 (1967), 338 (1973) and 425 (1978) of the United Nations Security Council, which stipulate full Israeli withdrawal from Arab territories occupied since 1967, including the Syrian Arab Golan and Lebanese territory.

The United Arab Emirates also vehemently condemns the continuing Israeli aerial and land attacks on the Gaza Strip and Palestinian towns and villages elsewhere as systematic and deliberate aggression of daily increasing ferocity against the Palestinian people struggling for the restoration of its legitimate rights, amid the silence of the international community, which stands by and does not differentiate between the offending party and the victim. The Israeli occupation forces' reoccupation of areas in the Gaza Strip and their tripartite division of those areas reveal the true nature of Ariel Sharon's extremist Government and its wish to expand, to consolidate the occupation and to demolish the entire peace process.

We in the United Arab Emirates reaffirm our full solidarity with the Palestinian people in its endeavour to attain its national rights, including the establishment of its independent State on the soil of its homeland, Palestine, with Jerusalem as its capital. We also call upon the international community to intervene immediately to provide protection to this people, which has been exposed to slaughter, destruction and ferocious aggression for more than seven months at the hands of the Israeli occupation forces.

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Security Council

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Letter dated 17 April 2001 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council

I have the honour to bring to your attention the conclusions of the Contact Group meeting at the ministerial level, held in Paris on 11 April 2001.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Jean-David **Levitte**

01-33810 (E) 180401 180401

Annex to the letter dated 17 April 2001 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council

[Original: French and English]

Ministerial Contact Group meeting (Paris, 11 April 2001)

Conclusions

The Contact Group met at the ministerial level on 11 April 2001 in Paris. This meeting took place at a significant moment for the future of the Balkans. The Contact Group reaffirmed its determination to continue playing its full role in the interest of stability and security in the region.

Democratic changes in the region, particularly in Croatia and in the Federal Republic of Yugoslavia, represent major steps forwards. Such progress must continue respecting international borders, sovereignty and territorial integrity.

Democracy and the rule of law, regional reconciliation and cooperation, on the one hand, and rapprochement with Europe, on the other, are inextricably linked.

There is no place for all those who use violence, espouse extremism, resort to terrorism, create tension, defy international legality and try to oppose democratization and reconciliation.

We are determined to intensify our efforts to fight against organized crime in all its aspects.

Everyone has a responsibility for the stability of the region and must contribute to it.

The Former Yugoslav Republic of Macedonia

- The Former Yugoslav Republic of Macedonia's borders, territorial integrity and sovereignty must be respected.
- All, including Kosovo Albanians, must vigorously condemn violent action and isolate the extremist armed formations which remain in and around Macedonian borders.
- We encourage the Macedonian authorities to continue to show restraint in response to extremist attacks.
- KFOR will continue to strengthen controls between Kosovo and Macedonia.
- Signing the Stabilization and Association Agreement between the European Union and the Former Yugoslav Republic of Macedonia on 9 April 2001 demonstrates support for Macedonia. We encourage the Macedonian authorities and all political parties to further consolidate a multi-ethnic society through reforms and dialogue, particularly in the framework of the "all party Europe Committee".

Federal Republic of Yugoslavia

- The consolidation of democracy must be encouraged. We support measures by the authorities in Belgrade towards reform and the rule of law and respect for human and minority rights.

- All indictees must be held accountable for their acts. Milosevic's arrest is an important step by the Federal Republic of Yugoslavia authorities in that direction. We note with satisfaction the readiness of the authorities in Belgrade to continue on the path towards full cooperation with the International Tribunal for the Former Yugoslavia.

- We support efforts to find a peaceful and lasting solution to the crisis in southern Serbia, in particular the implementation of confidence-building measures as set out in the "Covic plan".

Kosovo

- Security Council resolution 1244 (1999) remains the basis for building Kosovo's future.

- Under the authority of the Special Representative of the Secretary-General, the legal framework for self-government, pursuant to Security Council resolution 1244 (1999) must be completed. The prospect of Kosovo-wide elections this year, for which the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Organization for Security and Cooperation in Europe should work together, is a key factor for the democratic process in Kosovo and the stability of the region. To this end, secure conditions for the elections should be ensured. The participation of all communities in the elections, the return of refugees and the participation of refugees and displaced persons must be encouraged. Dialogue between the Special Representative of the Secretary-General and Belgrade should continue.

- UNMIK and KFOR will pursue their determined action against extremists. We urge the early promulgation of an UNMIK regulation against extremists.

Montenegro

- We support an early resumption of the dialogue between Belgrade and Podgorica aiming at an agreed redefinition of their relations, according to democratic principles and in a way that will ensure the stability of the region. We support a democratic Montenegro within a democratic Yugoslavia.

- Such a process, which excludes unilateral actions, would enable the international community to continue its political, economic and financial support to Montenegro.

Bosnia and Herzegovina

- The Dayton Agreements must be fully implemented.

- We support the democratically elected authorities at the State and entity level. We condemn vigorously those who violate the Constitution and who launch attacks against international presence, civilian as well as military. Thus we

strongly deplore the incidents which occurred in Mostar a few days ago. We support the actions taken by the High Representative and SFOR in this respect.

- We encourage the High Representative to submit proposals aimed at improving the coordination and efficiency of the international community's actions in the civilian field.

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Security Council

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18 April 2001

Original: English

Letter dated 18 April 2001 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of Georgia of 16 April 2001 on the latest developments in the Gali District of Abkhazia, Georgia.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Peter **Chkheidze**
Ambassador
Permanent Representative

01-33816 (E) 180401

Annex to the letter dated 18 April 2001 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

The Ministry of Foreign Affairs of Georgia is deeply concerned with the latest developments in the Gali District of Abkhazia, Georgia.

The Georgian side is committed to finding a peaceful settlement to the conflict in Abkhazia, Georgia, and as stated on numerous occasions by President Eduard Shevardnadze, considers the peace process as the only acceptable way to the resolution of this problem. In this regard, the Government of Georgia attaches great importance to the recent steps taken with the support of the international organizations and the Group of Friends of the Secretary-General and aimed at restoring confidence between the sides and reaching a comprehensive peaceful settlement of the conflict. The Ministry would like to emphasize the significance of the activities of the Coordinating Council within the Geneva peace process format; the meetings of Working Group One under the chairmanship of the United Nations Chief Military Observer; and in particular, the meeting on confidence-building measures held at the initiative of the Ukrainian Government at Yalta on 15 and 16 March 2001, where the parties once again reaffirmed their responsibility of non-resumption of hostilities.

Against this background, the latest events in the conflict zone are particularly distressing: the Abkhaz armed groups are active again; the bus explosion near the village Khurcha killed one civilian; five under-aged children were severely injured in the mine explosion in the Gali District; five civilians were detained without any sound charges and two of them were murdered on the spot; the Abkhaz side resorted to absurd and cynical arguments — "violation of Abkhaz territorial waters", as they captured the fishing boat and kidnapped the five Georgian fishermen on board.

Undoubtedly, such criminal, provocative actions against the unprotected, civilian population are carried out by the forces opposing regional peace and stability.

The Government of Georgia expresses its deep concern regarding the present circumstances in the conflict zone and calls upon all involved parties — the United Nations, the Group of Friends of the Secretary-General, the Organization for Security and Cooperation in Europe, the Council of Europe, the Commonwealth of Independent States and other international organizations to take immediate measures for improving the current situation, not to allow the escalation of hostilities that could jeopardize the peace process.

United Nations S/2001/378

Security Council

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18 April 2001

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Letter dated 16 April 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

On instructions of my Government, I have the honour to transmit to you a statement by the Government of Uganda on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/357). This is Uganda's initial reaction to the report.

I should be grateful if you would bring this statement to the attention of the members of the Security Council and circulate it as a document of the Security Council.

(*Signed*) J. D. Semambo **Kalema**
Minister Counsellor
Chargé d'affaires a.i.

01-33855 (E) 190401

Annex to the letter dated 16 April 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

Statement by the Government of Uganda on the report of the Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, April 2001

1. Introduction

The Government of Uganda has received a copy of the report of the United Nations Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, which was released in New York on 16 April 2001.

The Government has noted with grave concern the contents of the report, especially the serious allegations and accusations against H.E. the President, the Government of Uganda and high-ranking UPDF officers.

The Government of Uganda would like to state in its initial reaction the following points:

2. Security concerns in the Democratic Republic of the Congo

Contrary to the letter and spirit of the report, the Government of Uganda reaffirms its already known grounds for its involvement in the Democratic Republic of the Congo as genuine security concerns. These include the operations of the Sudanese-backed ADF, WNBF, UNRF II, NALU, the genocide Ex-FAR and Interahamwe who have used and continue to use the territory of the Democratic Republic of the Congo to launch persistent indiscriminate and terrorist attacks on the people of Uganda, for example the grisly Kichwamba (1998) and Bwindi (1999) massacres.

The Government of the Democratic Republic of the Congo has not been able to have effective control of the whole territory of the Democratic Republic of the Congo. With the outbreak of the rebellion in 1998 it was clear that the Government of the Sudan intended to use the hard-surface airports in the eastern Democratic Republic of the Congo to rearm, reorganize, retrain and resupply these anti-Uganda elements with the knowledge and complicity of the Government of the Democratic Republic of the Congo.

The existence of this threat was even acknowledged by the Government of the Democratic Republic of the Congo in the Protocol signed in 1998.

As a result of the deployment of UPDF in the Democratic Republic of the Congo our forces have been able to neutralize most of these threats, leading to the unilateral withdrawal of nine battalions and a clear commitment to compliance with the Lusaka Peace Agreement including adherence to the Kampala and Harare Disengagement Plans.

3. Fundamental disagreements with the report

Paragraph 95 of the report acknowledges that the Ugandan authorities provided extensive data and other information requested by the Panel. In spite of this cooperation, the Government of Uganda is shocked by the heavy reliance on unnamed sources, unsubstantiated allegations, outright hearsay and illogical conclusions. The Panel failed to take full advantage of the opportunity they got in meeting government officials including the President, civil society in Uganda, the leadership and membership of the rebellion in the Democratic Republic of the Congo and on-the-spot visits of areas of concern to the inquiry which finally appear in the report.

Uganda believes that on all these issues that appear in the report the Panel knowingly and deliberately condemned it unjustifiably.

(a) While Uganda overwhelmingly supported the work of the Panel both in New York and Kampala, it fundamentally disagrees with an inquiry which without any credible evidence aims to bring into disrepute the person and family of H.E. the President of the Republic of Uganda;

(b) The Panel failed to access readily available information that both Trinity and Victoria companies are not owned by the UPDF and government officers named in the report which forms the basis for most of their conclusions;

(c) The Panel condemned, as Ugandan exploitation of the Democratic Republic of the Congo, all trade between Ugandans and Congolese. Such trade has been going on since time immemorial for the mutual benefit of both peoples. This traditional business of commodity exchange or commodity-cash exchange became even more vital to the Congolese people following the complete breakdown of law, order and infrastructure in the Democratic Republic of the Congo;

(d) An attempt to mix Ugandan officers with Congolese political leaders of the rebel movements in order to:

(i) Make Uganda responsible for individual activities of Congolese leaders;

(ii) Create an impression that Congolese leaders have no right to the resources of their own country thereby orchestrating the already unacceptable version that there is no rebellion but an aggression by Uganda;

(e) In spite of the successes of the Lusaka Peace Agreement, the Panel seems to be part of a grand ploy to undermine the achievements of the Lusaka Peace Agreement as they begin to concretize on the ground namely:

- The ceasefire and disengagement of military forces in the Democratic Republic of the Congo;
- Deployment of United Nations military observers to oversee the disengagement;
- The unilateral withdrawal of the bulk of Ugandan forces;
- The emerging commitment of the Congolese Government to the holding of an inter-Congolese Dialogue;
- The warming up of relations between Kampala and Kinshasa;

(f) Most of these allegations are already a subject of litigation before the International Court of Justice at The Hague. Uganda is in the process of presenting its defence. The rules governing the operations of this Court will give ample time and opportunity for presentations and evaluation of evidence so that justice is not only done but is seen to have been done.

4. Methodology

The Government of Uganda is concerned at the methods used by the Panel:

(a) The Panel turned down a request by the Government of Uganda to present, in writing, the substance of the allegations by the Government of the Democratic Republic of the Congo in order to enable it to adequately prepare a response;

(b) The Panel turned down a meeting with Ugandan experts for in-depth dialogue and instead preferred to interview Ministers in the absence of their technocrats;

(c) Most of the evidence of economic performance submitted to the Panel by the Government is not reflected in the Panel's report. The clandestine and irregular visits of one of the panellists seem to have heavily influenced the Panel's findings when Government was not made privy to the specific allegations made during these visits;

(d) The Panel turned down a no-cost, security guaranteed opportunity to visit all the areas under UPDF control, in order to interview individuals, non-governmental organizations, political leaders, members of the rebellion and UPDF officers and men in order to establish the facts on the ground in the Democratic Republic of the Congo;

(e) The Panel turned down an offer by Uganda to revisit Kampala and seek any further clarifications and interviews after the release of the interim report in January 2001;

(f) Lastly, the proposed sanctions against Uganda are completely inappropriate to the accusations, flawed as they are, implicating individuals and not Uganda as a State. This is alluded to in paragraph 85 of the Panel's report.

5. Conclusions

(a) Despite the flawed methods and the unsubstantiated allegations and accusations of the report, the Government of Uganda is ready and willing to support the Security Council's efforts, provided:

(i) The terms of reference of this Panel are made more fair and balanced;

(ii) Membership of the Panel is expanded and made more representative. To that end the Government of Uganda is willing to make available to the United Nations any Ugandan named in that report for investigation;

(b) The Government of Uganda will, on its own, investigate these allegations and bring to book any individuals found guilty;

(c) Finally the Government of Uganda asks the international community to do everything possible to ensure that the Lusaka Peace Agreement which answers the internal Congolese political problems and the regional security concerns is not derailed. The Panel's report itself acknowledges the importance of the Lusaka Peace Agreement.

(*Signed*) Ruhakana **Rugunda**
Minister-in-Charge of the Presidency

United Nations S/2001/379

Security Council

Distr.: General
19 April 2001

Original: English

Draft resolution

The Security Council,

Reaffirming its resolution 864 (1993) of 15 September 1993 and all subsequent relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999, 1295 (2000) of 18 April 2000 and 1336 (2001) of 23 January 2001,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998),

Determining that the situation in Angola continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Takes note* of the written addendum (S/2001/363) provided pursuant to paragraph 4 of resolution 1336 (2001) to the final report (S/2000/1225) of the monitoring mechanism established pursuant to resolution 1295 (2000);

2. *Expresses its intention* to give full consideration to the written addendum and to the final report, pursuant to paragraph 5 of resolution 1295 (2000);

3. *Decides* to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 October 2001;

4. *Requests* the monitoring mechanism to report periodically to the Committee established pursuant to resolution 864 (1993), and to provide a supplementary report by 19 October 2001;

5. *Requests* the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee, to appoint up to five experts to serve on the monitoring mechanism, and *further requests* the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;

01-33980 (E) 190401

6. *Requests* the Chairman of the Committee established pursuant to resolution 864 (1993) to submit the supplementary report to the Council by 19 October 2001;

7. *Calls upon* all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;

8. *Decides* to remain actively seized of the matter.

United Nations S/2001/380

Security Council

Distr.: General
19 April 2001
English
Original: Arabic

Identical letters dated 18 April 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour, in my capacity as Chairman of the Arab Group for the month of April 2001 and on behalf of the States members of the League of Arab States, to inform you that we request the retention of the following items listed in paragraph 8 of the statement by the Secretary-General on matters of which the Security Council is seized and on the stage reached in their consideration:

1. The Palestine question.

16. The Middle East problem, including the Palestinian question.

19. The question of the exercise by the Palestinian people of its inalienable rights.

We further request that the Security Council secretariat be instructed not to delete any of the items concerning the question of Palestine, the situation in the Middle East and the exercise by the Palestinian people of its inalienable rights and that all items relating to such items and contained in the list of matters of which the Security Council is seized be retained, inasmuch as they pertain to the responsibility of the Security Council for the maintenance of international peace and security.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Permanent Representative of the Republic of Iraq to the United Nations
Chairman of the Arab Group

01-34052 (E) 190401 190401

United Nations S/2001/381

Security Council

Distr.: General
19 April 2001

Original: English

Letter dated 18 April 2001 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, and pursuant to my previous letters dated from 31 January 2000 to 22 March 2001 contained in Security Council documents S/2000/78, S/2000/127, S/2000/128, S/2000/164, S/2000/216, S/2000/912, S/2000/1036, S/2000/1170 and S/2001/271 about cross-border attacks from the territory of Iraq against the Islamic Republic of Iran, infiltration, and acts of terrorism including mortar attacks against civilian quarters in various cities in Iran by members of the MKO terrorist organization based in Iraq, I have the honour to report that in response to numerous operations by the MKO terrorist organization from its bases inside the territory of Iraq against the Islamic Republic of Iran resulting in human and material losses over the last several months, the armed forces of the Islamic Republic of Iran, in accordance with Article 51 of the Charter of the United Nations, took a limited and proportionate defensive measure against a number of the MKO command and control, training and logistic bases inside Iraq. This operation, which began at 4.15 and concluded at 7.30 in the early hours of this morning, targeted the following MKO bases:

1. Ashraf Base north of Baghdad;
2. Anzali Base in Jelola;
3. Faeze Base in Koot;
4. Habib Base in Basra;
5. Homayoon Base in Al-Ammara;
6. Bonyad Alawi Base in Mansouriyye.

The Government of the Islamic Republic of Iran emphasizes that this limited and proportionate operation was carried out to stop cross-border attacks against the Islamic Republic of Iran from Iraqi territory by the MKO terrorist organization harboured in Iraq, and should not be construed as infringing the territorial integrity of Iraq. The Islamic Republic of Iran respects Iraq's territorial integrity and looks forward to promoting friendly relations with its neighbour.

In this context, the Islamic Republic of Iran expects the Government of Iraq to take appropriate measures in conformity with the rules and principles of international law as well as its obligations under the relevant Security Council resolutions, particularly paragraph 32 of Security Council resolution 687 (1991) and

01-34046 (E) 190401

paragraph 3 of Security Council resolution 949 (1994), to put an end to the use of its territory for cross-border attacks and terrorist operations against the Islamic Republic of Iran, which would render unnecessary measures in self-defence in accordance with Article 51 of the Charter of the United Nations.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Hadi **Nejad-Hosseinian**
Ambassador
Permanent Representative

United Nations S/2001/382

Security Council

Distr.: General
19 April 2001

Original: English

Letter dated 19 April 2001 from the Permanent Representative of Yugoslavia to the United Nations addressed to the President of the Security Council

Yesterday, 18 April 2001, a bomb activated by a remote control mechanism went off in front of the offices of the Committee of the Yugoslav Government for Cooperation with UNMIK in Pristina, killing one person and wounding three others.

This hideous terrorist act comes in the wake of the latest escalation of ethnic Albanian extremism and terrorism in the region and despite the assurances, and the outright mandate under Security Council resolution 1244 (1999), of the international presences in Kosovo and Metohija to ensure safety and a secure environment to all residents of this Serbian province, Federal Republic of Yugoslavia.

In view of the gravity of the situation, I have been instructed by my Government to request the Security Council to convene an urgent meeting to condemn the terrorist act and to enjoin, in accordance with their responsibilities under Security Council resolution 1244 (1999), KFOR and UNMIK to take all necessary measures to find the perpetrators and bring them to justice.

(*Signed*) Dejan **Sahovic**
Ambassador
Permanent Representative

01-33967 (E) 190401

United Nations A/55/906–S/2001/383

General Assembly
Security Council

Distr.: General
19 April 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 40
The situation in the Middle East

Security Council
Fifty-sixth year

Note verbale dated 18 April 2001 from the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit to him herewith a statement by an official source at the Foreign Ministry of the State of Qatar, in its capacity as the current Chairman of the Organization of the Islamic Conference, of 16 April 2001, concerning the aggression launched by the Israeli forces against the sovereignty of the Lebanese territories and the missile strike on Syrian radar installations inside Lebanon, on the morning of 16 April 2001 (see annex).

The Permanent Mission of the State of Qatar would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 40, and the Security Council.

01-33992 (E) 190401

Annex to the note verbale dated 18 April 2001 from the Permanent Mission of Qatar to the United Nations addressed to the the Secretary-General

[Original: Arabic]

An official source at the Ministry of Foreign Affairs of Qatar stated that Qatar, in its capacity as the current Chairman of the Organization of the Islamic Conference, has expressed its condemnation and censure of the violation of Lebanese sovereignty by Israeli aircraft and their bombardment of Syrian radar installations in the Dahr al-Baydar locality in Lebanon.

The official source at the Ministry of Foreign Affairs, speaking to the Qatar News Agency, added that this aggression constituted a grave escalation and would again plunge the region into a maelstrom of violence, in blatant defiance of the resolutions that embody international legitimacy and of the principles of international law and that Israel bore the responsibility for the grave results ensuing therefrom.

The official source called upon the international community and, in particular, the sponsors of the peace process to take immediate and effective action to halt these grave Israeli attacks and practices and to create circumstances favourable to the resumption of the peace process in the Middle East on all tracks, from the point at which it halted, in accordance with the principles and foundations on which the peace process is based, in particular Security Council resolutions 242 (1967) and 338 (1973) and the principle of "land for peace".

In concluding his statement, the official source affirmed that Qatar and the States of the Organization of the Islamic Conference stand with Syria, Lebanon and the Palestinian people in their just struggle for the restoration of their legitimate rights in accordance with the resolutions that embody international legitimacy.

United Nations A/55/907–S/2001/384

General Assembly
Security Council

Distr.: General
19 April 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 46
The situation in Afghanistan and its implications for international peace and security

Security Council
Fifty-sixth year

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction

1. This report is submitted pursuant to paragraph 31 of General Assembly resolution 55/174 A of 19 December 2000, in which the Assembly requested the Secretary-General to report every four months during its fifty-fifth session on the progress of the United Nations Special Mission to Afghanistan (UNSMA). The present report, which covers developments since the issuance of my annual report on 20 November 2000 (A/55/633-S/2000/1106), is also submitted in response to requests by the Security Council for regular information on the main developments in Afghanistan.

II. Recent developments in Afghanistan

A. Visit of the Secretary-General

2. From 10 to 12 March, I visited Pakistan as part of a tour in the South Asian region, which also included visits to Nepal, Bangladesh and India. Various aspects of the situation in Afghanistan were discussed in my talks with President Rafiq Tarar, the Chief Executive, General Pervez Musharraf, and the Foreign Minister, Mr. Abdus Sattar. I also had talks with the Taliban Foreign Minister, Wakil Ahmad Mutawakkil, who came to Islamabad to meet with me. I also travelled to the North-West Frontier Province of Pakistan to meet with Afghan refugees at the Shamshatoo refugee camp near Peshawar to assure them that the United Nations was committed to providing the assistance that they and other Afghan refugees so desperately needed. I was unfortunately unable to visit Jalozai camp, where conditions have been described to me as dire.

3. In my discussions with General Musharraf, I expressed the international community's appreciation to Pakistan for extending hospitality to the millions of Afghan refugees who have been forced to flee their country in the past two decades and to take shelter in Pakistan. We agreed that those Afghans who had recently entered Pakistan would be allowed to remain and that, while Pakistan would facilitate the provision of immediate relief assistance to the nearly 80,000 refugees at the Jalozai camp, the United Nations system, for its part, would redouble its efforts to provide assistance to Afghans inside Afghanistan in order to discourage further outflows.

4. In my meeting with Mr. Mutawakkil, I impressed upon him how important it is that the Taliban respect the terms of the written agreement arrived at on 2 November 2000, whereby the two parties to the

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conflict agreed to pursue a process of dialogue, under my auspices, from which neither would unilaterally withdraw until all items on its agenda were exhausted. I urged the Taliban to reconsider its rejection, following the imposition of sanctions, of the mediating role of the United Nations, stressing that only through the United Nations could a comprehensive political solution be reached. Other topics covered included the humanitarian situation, the Taliban's progress towards eradicating poppy cultivation and the continued presence of Osama bin Laden in Afghanistan.

5. Inevitably, a considerable portion of the discussion with Mr. Mutawakkil dealt with the order issued by the head of the Taliban movement, Mullah Mohammad Omar, following a *fatwa* (edict) by Afghan ulemas, calling for the destruction of all statues and other objects of "un-Islamic worship". I asked that implementation of the order be halted, at least temporarily, until a group of international Islamic scholars could confer with the Afghan ulemas. I also explored various alternatives to remove the statues for safekeeping outside Afghanistan. Mr. Mutawakkil, responding that the *fatwa* was already being implemented, described it as a domestic issue based on purely Islamic principles. Shortly thereafter, I was distressed to learn that the destruction of the two priceless statues of the Buddha in Bamyan had already taken place.

B. Activities of the United Nations Special Mission to Afghanistan

Contacts with the Afghan warring sides

6. My Personal Representative for Afghanistan, and the Head of the United Nations Special Mission to Afghanistan, Francesc Vendrell, has continued to pursue his contacts with the two Afghan warring sides and other Afghans, as well as with the Governments of the region. Since my last report to the Security Council, he has met with Mr. Mutawakkil on six occasions. In late January, he met in Faizabad with Professor Burhanuddin Rabbani, President of the Islamic State of Afghanistan, and with Commander Ahmad Shah Massoud, as well as with Acting Foreign Minister Abdullah in New York on 7 February.

7. In the weeks following the 2 November 2000 agreement, my Personal Representative discussed with the Taliban and the United Front a possible agenda that he hoped could be finalized before his next oral report to the Security Council and to the "six plus two" group in February. At the beginning of December 2000 he was informed by the Taliban that, in view of the imminent adoption by the Security Council of new sanctions against the Taliban, they could no longer accept the United Nations as an impartial broker and that, while they were willing to pursue a dialogue with the United Front, they were not willing to do so under United Nations auspices. In keeping with this approach, the Taliban indicated that it would accept an invitation by the Government of Uzbekistan in late January to a meeting of the two sides, but only if the United Nations were not included. The Uzbek Government declined to proceed on that basis. The United Front, for its part, continues to consider that any dialogue with the Taliban must be held in the presence of my Personal Representative.

8. Following the edict on the destruction of all statues, my Personal Representative travelled to Kabul on 1 March and, in a long conversation with Mr. Mutawakkil, sought to impress upon him the negative consequences that would ensue for the Taliban in the event that the edict was implemented. He also proposed, unsuccessfully, that the issue be referred to a group of international ulemas appointed by the Organization of the Islamic Conference (OIC) or, failing that, that implementation be postponed.

9. In addition to the above issues, the discussions that my Personal Representative held with both of the warring parties concerned the impartiality of the United Nations and the different roles and responsibilities of its constituent organs; the human rights situation in Afghanistan, including, in particular, the events in Yakawlang in early January (see paras. 49-51 below) and the need to bring violators to account; the various proposals by Afghan personalities abroad, in particular the former King, to convene an emergency *loya jirga*, or traditional grand national assembly; international support for the future rehabilitation and reconstruction of the country once a comprehensive peace settlement has been reached; and the need to find a solution to the continued presence of Osama bin Laden in Afghanistan that is acceptable to the Security Council.

Contacts with non-belligerent Afghans

10. My Personal Representative has maintained contact with a variety of non-belligerent Afghan

personalities, including those who favour the convening of a *loya jirga* as a means of bringing about a peaceful and democratic solution to the Afghan conflict. In this connection, my Personal Representative met once again in mid-February, in Rome, with the former King of Afghanistan, Zahir Shah, and members of his family and secretariat. Both he and UNSMA political officers have held discussions on various occasions with individual members of the newly-established executive committee of the Rome process. Mr. Vendrell has also held meetings in London and Geneva with members of the executive committee of the Cyprus process and, in Islamabad, with Pir Sayid Ahmad Gailani, leader of the National Islamic Front of Afghanistan.

Other activities, including contacts with concerned Governments

11. My Personal Representative has continued his contacts with the Governments of the "six plus two" group and other interested States. In that context, he visited Moscow in late November 2000 for talks with First Deputy Foreign Minister Vyacheslav Trubnikov and Deputy Foreign Ministers Alexander Losyukov and Sergey Ordzhonikidze. Also in late November, at the invitation of the Indian Government, Mr. Vendrell met in Delhi with the Minister for External Affairs, Mr. Jaswant Singh, and Foreign Secretary Lalit Man Singh. In early December, he visited Ashgabat on the occasion of the fifth anniversary of the proclamation by the General Assembly of Turkmenistan's permanent neutrality. As well as meeting President Saparmurat Niyazov, Foreign Minister Batyr Atayevich Berdyev and Presidential Adviser Boris Sheikhmuradov, he attended an *iftar* hosted by the Turkmen Government for the delegations sent by the two Afghan sides to the ceremonies, and also participated in a brief meeting with them held the following day by the President of Turkmenistan.

12. In late January, Mr. Vendrell met in Dushanbe with the President of Tajikistan, Mr. Imomali Rakhmonov, and with Foreign Minister Tabak Nazarov. He also met in Islamabad with the Foreign Minister of Uzbekistan, Mr. Abdul Aziz Kamilov. In mid-February, following his oral report on the Secretary-General's good offices to the "six plus two" group on 8 February and to the Security Council on 12 February, he held talks in Washington, D.C. with senior United States State Department officials.

13. He has held meetings in New York and Geneva with Deputy Foreign Minister Zarif of the Islamic Republic of Iran and other senior Iranian representatives, and has maintained ongoing contacts with high officials of the Government of Pakistan, meeting on 4 February with the Chief Executive, in addition to more regular meetings with Foreign Secretary Inam Ul-Haq and Additional Secretary Aziz Khan.

14. All Governments consulted have consistently reiterated their support for my efforts and those of my Personal Representative and have stressed the importance they attach to the United Nations playing a central role in the restoration of peace to Afghanistan.

Status of the United Nations Special Mission to Afghanistan, including the Civil Affairs Unit

15. The Civil Affairs Unit has continued its efforts to promote peace and human rights awareness in Afghanistan by conducting a regular dialogue with the political authorities, engaging various sectors of civil society and observing political, human rights, social and economic trends in the country. The Taliban threatened to close UNSMA offices in Afghanistan at the time of the imposition of sanctions. However, following a meeting between my Personal Representative and Mr. Mutawakkil, the Unit has been able to remain active in five major urban centres, namely Kabul, Jalalabad, Mazar-e-Sharif, Herat, and Kandahar, in addition to Faizabad, which is under the control of the United Front. The recruitment process of additional Civil Affairs Officers is under way, to bring the Unit up to its full complement of 12 Officers. The process of consolidating an UNSMA presence in the field has faced renewed difficulties following the closure of the Taliban office in New York in February and what the Taliban perceives as the uncertainty of its liaison presence at the United Nations.

16. The main interlocutors among the Civil Affairs Officers include political authorities, administrative officials, religious leaders, *shuras* (traditional assemblies of local notables), and representatives of youth and women's groups, the media and the academic community. The Unit has conducted studies of the current human rights situation in Afghanistan, the administrative and judicial systems prevailing in the "Islamic Emirate" and in the Islamic State of Afghanistan and the situation of religious and ethnic minorities.

C. Other developments

Destruction of statues

17. Mullah Omar's order to destroy all statues in Afghanistan provoked an international outcry. The General Assembly, in its resolution 55/243 of 9 March 2001, echoed by the Security Council, expressed its repudiation of the edict and urged the Taliban to review it and stop its implementation. Parallel calls poured in from the United Nations Educational, Scientific and Cultural Organization (UNESCO), OIC, Member States and academic and cultural institutions. The Foreign Minister of Sri Lanka visited Islamabad to seek the intervention of the Government of Pakistan to prevent the destruction. A special envoy sent by the Director-General of UNESCO, the Minister of the Interior of Pakistan and the Minister of State for Foreign Affairs of Qatar (current Chairman of OIC), accompanied by renowned ulemas from Egypt, Jordan and Qatar and a group of Japanese parliamentarians, went to Afghanistan attempting to dissuade the Taliban from their course of action.

18. The Taliban's actions were heavily criticized by the Islamic State of Afghanistan and by the former King, as well as by many prominent and ordinary Afghans. The Society for the Preservation of Afghanistan's Cultural Heritage, which has long fought to preserve the cultural heritage of the people of Afghanistan, announced on 3 April that it was compelled to suspend its work within Afghanistan and that it would close its office in Kabul until further notice.

Bomb incidents

19. In one of a series of incidents in Kabul in recent months, a bomb exploded on 22 November outside the Ministry of Information and Culture in Kabul, smashing windows of the Ministry and surrounding buildings, but causing no reported casualties. On 17 March, a car bomb went off in the western section of Kabul, claiming five lives and apparently injuring Taliban Education Minister Amir Khan Muttaqi and several others. A day previously, a small bomb had exploded outside a *madrassa* near the Consulate General of Pakistan in Jalalabad. In another incident, on 5 March, Taliban commander Anwar Dangar was wounded by unknown gunmen.

Developments in the region and beyond

20. Following the imposition of further sanctions against the Taliban by the Security Council in resolution 1333 (2000), I have appointed, as requested by the Council, a committee of five experts to make recommendations on how the arms embargo and closure of terrorist camps can be monitored. On 31 March, the committee embarked on a four-week visit to countries in the region to consult with government officials.

21. During the reporting period, the former King, Zahir Shah, dispatched delegations to countries of the "six plus two" group, namely the Russian Federation, Uzbekistan, Tajikistan, Turkmenistan and the Islamic Republic of Iran, as well as to Egypt and Saudi Arabia. A delegation also visited Faizabad for discussions with leaders of the Islamic State of Afghanistan.

22. In late March, United Front Commander Ahmad Shah Massoud visited Moscow for consultations with Russian officials. In early April, following the international outcry over the destruction of Buddhist statues, he undertook a high-profile visit to France and Belgium. He met in Paris with the French Foreign Minister, addressed the European Parliament in Strasbourg and visited the European Commission in Brussels, where he met with the High Representative for the Common Foreign and Security Policy of the European Union. Meanwhile, during the second week of April, a 12-member Taliban delegation, which included the Taliban Foreign Minister, visited Doha, at the invitation of the Government of Qatar, the current Chairman of OIC.

23. The situation in Afghanistan has been the subject of high-level contacts among various Governments throughout this reporting period. These include talks between Pakistan's Chief Executive and the Presidents of Kazakhstan and Turkmenistan during the former's visits to those countries, and the visit to the Islamic Republic of Iran by the Prime Minister of India in April. The Russian-Indian working group on Afghanistan, established during President Putin's visit to India last October, at its first meeting in Delhi on 20 November, following on the heels of a meeting of the high-level United States/Russian group on terrorism, accused the Taliban of turning areas under its control into bases for sheltering and training international terrorists.

24. Prior to his visit to Kandahar in March, in the wake of the edict on the destruction of statues, Pakistan's Minister of the Interior paid a visit in early February to Afghanistan, where he met with Mullah Omar and other senior Taliban leaders. Among issues discussed were the repatriation of refugees to Afghanistan, extradition of suspected criminals and the question of Osama bin Laden.

D. Military situation

25. Fighting has been continuous throughout Afghanistan since late December, evidence of the fact that fighting in Afghanistan is no longer seasonal, the two sides now being better equipped and trained for winter warfare. Recent troop movements on both sides and the concentration of units along the main confrontation line and in the central part of Afghanistan suggest that large-scale fighting in Afghanistan can be expected to resume in the near future. There are clear indications that the two sides are gearing themselves up for battle in the spring and summer.

26. The United Front has been engaged in efforts to reorganize its forces into something resembling a regular army. It has conducted a number of meetings with its commanders to persuade them to accept structural changes and is also trying to incorporate commanders loyal to Ismail Khan and General Dostum. General Dostum returned to Afghanistan in April for the first time in two years, meeting Professor Rabbani in Faizabad. Meanwhile, the United Front has been keeping the Taliban militarily occupied through sorties from the various "pockets" it holds inside Taliban territory, as well as along the main line of confrontation, thus complicating the Taliban's reinforcement and supply.

27. From mid-January there has been continuous fighting in the north-eastern Takhar Province, where Taloqan is located, with ground ebbing and flowing from one warring side to the other, neither achieving any major territorial gains. The city of Taloqan itself remains in Taliban hands.

28. As earlier reported, Yakawlang district in Bamyan Province was captured at the end of December by Hizb-e Wahdat forces, which form part of the United Front. The district was recaptured two weeks later by the Taliban and then retaken again by Hizb-e Wahdat in late January. On 15 February, the United Front captured the town of Bamyan, but held it only briefly before it fell again to the Taliban. The Taliban was not successful in moving out from the city, however, and the United Front went on the offensive again at the end of March. By mid-April, the United Front had advanced to 5 kilometres from the town of Bamyan.

29. During the reporting period, there have been exchanges of small arms and artillery fire between the Taliban and the United Front fighters on the islands on the Amu Darya river, near Emam Saheb, which house a large number of displaced families. The United Front has sent reinforcements to the islands and is seeking to persuade the internally displaced persons to remain there.

III. Humanitarian activities and human rights

A. Humanitarian situation

30. Since my last report there has been a further dramatic deterioration in the humanitarian situation inside Afghanistan. The combination of ongoing war and drought on an already impoverished people is now pushing hundreds of thousands of people into poverty and destitution. In the past several months, the number of people displaced from rural areas to cities such as Herat, Mazar, Kabul and Kandahar has grown to 500,000, as they search for food, shelter, security and assistance. A further estimated 200,000 people have sought refuge and protection in neighbouring countries. Of this number 170,000 have crossed into Pakistan, an unknown number have entered the Islamic Republic of Iran and 10,000 remain on the border with Tajikistan. Hundreds of thousands more people are likely to become displaced as conflict spreads and the drought worsens in the next two or three months.

31. In Afghanistan, people become displaced when they have no other choice. Desperation forces entire families to leave their homes, take their chances with bandits and the elements and travel for days in the hope that help may be available to them in the internally displaced person or refugee camps. Yet the internally displaced persons and refugees who reach Herat, Islamic Republic of Iran, or Pakistan are among the more fortunate who have resources to pay for transport. In many parts of the country there are hundreds of

thousands of people left behind in conflict and drought stricken areas, unable to move. While financial and material resources are important, delivery and implementation capacity are a major constraint. Support to increase this capacity, particularly in the community of non-governmental organizations (NGOs) is crucial.

32. The strategy of the United Nations and its partners has been to assist families in their areas of origin to help prevent involuntary displacement. This strategy has worked well where it could be implemented. However, the remarkable and widespread impact of both the drought and conflict has resulted in population movements for which the assistance community is unable to provide. Insufficient financial resources, a limited humanitarian presence and the unwillingness of the authorities to provide assistance has contributed to dismal conditions for the majority of the displaced.

33. In February, I requested my Emergency Relief Coordinator, Mr. Kenzo Oshima, to visit Afghanistan to review the humanitarian situation and to highlight critical funding shortfalls. This followed the tragic deaths of over 150 people in internally displaced person camps in Herat after several days of freezing weather. These deaths were a sharp reminder to the world of the insufficient resources available to support the humanitarian needs of the Afghan people. While the subsequent response of donor countries has helped to stabilize the situation of those displaced living in camps, a more significant response is needed to assist people in their home communities, and to stem the tide of involuntary displacement. Over $250 million is required to address the crisis, but only $85 million has been made available as at the time of writing.

34. The drought will continue to severely affect Afghans, leading to substantially increased vulnerability across all affected areas until August, when the next harvest can be expected. However, the post-harvest situation is not expected to improve markedly as preliminary results from a planting survey conducted by the World Food Programme (WFP) in Afghanistan indicate that there has been a widespread and significant reduction in the planting of all crops. Reduced levels of precipitation and seed availability are typically cited as the rationale for the reduction in planting. Rainfall has been below average over the winter period and in some cases is less than that measured last year. The worst period is likely to be the hungry season of June and July, which corresponds with the period of greatest conflict. Malnutrition-related deaths continue to be reported by our partners across many parts of the country. In Herat, where many internally displaced persons go to find assistance, the influx of people stabilized at around 80 families a day throughout the winter months. New influxes increased to 200 families per day at the end of March and to 225 families per day in the first week of April. On 9 April alone, over 340 families arrived. The total number of internally displaced persons in the camps in Herat is estimated at 120,000 people. The aid community is now overstretched in its attempts to respond to the urgent needs of thousands of communities across the country and is being overwhelmed by the needs of the internally displaced persons. While a very positive response to the crisis in Herat provided some temporary relief in February, more emergency items are needed in the very near future.

35. In the medium term, recovery from the drought will prove difficult given the large displacement of people, the high levels of asset depletion, the lack of seeds and other agricultural inputs, the loss of livestock, the weakened agricultural infrastructure, structural changes in the agricultural sector owing to the failure of orchards and vineyards and what looks like abnormally low precipitation. The continuing armed conflict and the devotion of resources to war by the authorities of all factions remains one of the main impediments to recovery.

36. A preliminary assessment of the implementation of the decree banning all opium poppy cultivation in Afghanistan indicates that the edict is being implemented. Opium poppy cultivation is dramatically reduced in the major poppy growing areas of Helmand, Nangarhar, Oruzgan and Qandahar Provinces. The annual opium poppy survey carried out by the United Nations International Drug Control Programme, is currently under way and the results, which are expected in July, will draw an accurate picture of the extent of poppy cultivation in Afghanistan.

37. While the implementation of the ban on poppy cultivation is welcome, it has brought serious economic and social consequences to the former growing areas, with farmers and their communities bearing the economic burden of the conversion to other types of cultivation. This additional hardship has contributed to displacement of people inside Afghanistan as well as to the influx of new refugees to Pakistan and the Islamic

Republic of Iran. For whatever motive, the Taliban has done what the international community has asked: it has drastically curtailed poppy cultivation. It is therefore incumbent on the international community to respond positively to this progress, or to face an equally rapid increase in production at the end of the year if farmers return to poppy cultivation.

38. During 2000, the Office of the United Nations High Commissioner for Refugees (UNHCR) and its partners facilitated and assisted the voluntary repatriation of 210,170 Afghans: 133,397 from the Islamic Republic of Iran and 76,779 from Pakistan. The harsh winter and extremely precarious food security, combined with the massive displacement inside Afghanistan, has temporarily halted assisted voluntary repatriation.

39. The latest UNHCR monitoring report on the situation of returnees shows the enormous difficulties facing them upon return to their country, now devastated by years of conflict. While no assisted voluntary repatriation took place to areas severely affected by drought or conflict, the survey found that 25 per cent of the returnees did not have any regular source of income and 27 per cent were dependent on the highly unstable wage labour market. UNHCR and its partners have been able to assist 17 per cent of the returnees, 39 per cent of whom found their houses destroyed. The support of UNHCR allowed these returnees to rebuild their homes and provided them with access to potable water. While peace is a precondition for a larger-scale return of Afghans to their country, comprehensive and longer-term assistance programmes are needed to allow more refugees to return in safety and dignity.

40. In the first quarter of 2001, the United Nations has been attempting to improve access to protection and assistance for the large numbers of Afghans who entered the Islamic Republic of Iran and Pakistan, or who were trapped on the border between Afghanistan and Tajikistan. In the biggest influx since the early 1990s, more than 170,000 Afghans have sought assistance in Pakistan, the majority arriving in the last four months. Some 60,000 new arrivals have been transferred to the new Shamshatoo refugee camp, near Peshawar in North-West Frontier Province, where UNHCR/WFP and NGOs provide them with shelter, food, water and sanitation, health care and education. However, more than 110,000 continue to live in appalling conditions in makeshift sites scattered across the Province and in Baluchistan. An estimated 80,000 are camped out in the open in the squalid Jalozai camp. Overcrowded conditions and the site's severely overstretched sanitation facilities, combined with the start of the rains, make the outbreak of epidemics likely.

41. On 9 November 2000, Pakistan, which hosts 1.2 million Afghan refugees, closed its borders and imposed a ban on new arrivals. Citing social, economic and security reasons, Pakistan declared that it was no longer in a position to recognize Afghans entering its territory as prima facie refugees. Permission has been withheld to carry out any verification exercises and the authorities maintain that no additional land can be made available to relieve the intense overcrowding that already exists in the camps. Under the current circumstances, it is increasingly difficult to provide protection assistance to those of most concern to UNHCR. The Government has pointed to the large long-term refugee population in Pakistan and its own problems in dealing with the current drought, and has stated its concern that assistance provided to new refugees is likely to draw even more refugees across the border. The United Nations understands these concerns and has committed itself to raising significant resources to care for refugees and assist their return to Afghanistan where possible. In my discussions with General Musharraf (see paras. 2-3 above), we agreed on a two-pronged approach to address this problem. The United Nations would continue to expand its assistance activities inside Afghanistan in all areas of activity, with emphasis on assistance for people in situ, in order to avoid any further involuntary displacement. Similarly, the Organization would remain committed to providing assistance within Pakistan to ensure the protection for genuine refugees. In return, the Government would support and facilitate the assistance and protection support for refugees, according to internationally accepted principles. In my recent conversations with General Musharraf, I asked for his assistance in implementing the "two-pronged approach" on the ground, which would allow the action described below.

42. For aid to be properly targeted in the refugee camps in Pakistan, screening of refugees must be carried out by United Nations aid agencies to ensure that legitimate beneficiaries receive support. Additionally, other land must be provided to care for the refugees in the Jalozai camp, who are currently

packed in unacceptably dense conditions. Afghans who continue to flee to Pakistan are reluctant to declare themselves for fear of arrest and deportation. UNHCR is concerned that, among those forcibly returned and handed over to the Taliban, there may be people who are in need of protection. It has proposed the formation of joint screening committees, which will review cases of all those facing deportation and allow those who have a well-founded fear of persecution to enjoy asylum in Pakistan. The Permanent Representative of Pakistan to the United Nations has addressed two letters to me on this issue (A/55/896-S/2001/346 and A/55/897- S/2001/347).

43. In the Islamic Republic of Iran, negotiations between UNHCR and the Government on a mechanism to identify Afghans in need of protection continued. With regard to the 10,000 Afghans on the border between Tajikistan and Afghanistan, UNHCR is negotiating with the Tajik authorities to ensure unhindered access, protection at a safe location and the separation of civilians from combatants to allow a continuation of the provision of assistance to the civilians.

B. Human rights

44. The human rights problems faced by the Afghan people continue to be compounded by the war, its accumulated and direct effects, including the way it is prosecuted, by deep-rooted and widespread poverty exacerbated by the drought and by the policies and practices of the authorities. In the period since my last report and as outlined above, the combination of war, winter and attendant displacement has further undermined the ability of Afghans to enjoy fundamental rights, such as the right to life and security of person. Growing numbers of Afghans are obliged to flee their places of origin in the interest of safeguarding their lives or to seek some means of survival. In addition, a high proportion of Afghans who are unable or unwilling to move suffer equally serious human rights problems, including direct threats to their lives as a result of growing pauperization or abusive practices that range from summary execution and arbitrary detention to discrimination and hindered access to assistance from humanitarian agencies.

45. The situation of women and girls in Afghanistan remains unacceptable. The decree of law banning Afghan women from working in aid agencies, except in the health sector, issued by the Taliban in July 2000, continues to be a major obstacle. The law not only represents a gross violation of the rights of Afghan women, but also narrows considerably the ability of the assistance community to reach Afghan women, since only women aid workers can directly reach female beneficiaries.

46. Despite efforts of the United Nations Coordinator and other United Nations senior staff to negotiate the withdrawal of the decree, it remains in effect. Negotiations with the authorities continue and it is hoped that progress on the United Nations humanitarian operational requirements prepared by the United Nations system in Afghanistan will be possible.

47. It is, however, worthwhile noting that the assistance community was successful in negotiating to holding of large celebrations on International Women's Day in Afghanistan during the week of 8 to 14 March 2001. The assistance community, with the authorities, organized a number of celebrations attended by a large number of Afghan women in Herat, Jalalabad, Mazar, Kandahar and Faizabad.

48. As outlined in the discussion of the refugee situation (paras. 30-43 above), it is of major concern that the right to asylum and due process for those Afghans who have crossed international borders is not being respected; thousands of Afghans have been forcibly returned to their homeland from Pakistan in contravention of international law. It is of equal concern that thousands of Afghans stranded on the Panj islands in the Amu Darya river are being blocked entry to Tajikistan and are, essentially, under the control of military forces; this exacerbates their insecurity and hinders the provision of humanitarian support.

49. Numerous reports from a variety of credible sources began to emerge in mid-January, indicating that a large number of civilians had been deliberately killed following the recapture by Taliban troops of Yakawlang district in the central province of Bamyan. Yakawlang, under Taliban control since May 1999, had been captured on 28 December 2000 by Hizb-e Wahdat forces under the command of Karim Khalili, who was forced to retreat again on 7 January 2001 in the face of a Taliban counterattack. On 23 January 2001, Hizb-e Wahdat forces, this time apparently assisted by the local population in the wake of the killings, again took control of Yakawlang. Details of the reported massacre were documented in a Human Rights Watch report

published in February. According to that report, about 170 men were confirmed to have been killed, among whom were a number of aid agency personnel, including a United Nations staff member.

50. On 19 January 2001, I issued a statement expressing my deep concern about those reports, which required prompt investigation, and demanded that the Taliban take immediate steps to control its forces and bring those responsible to justice. The Taliban, meanwhile, has repeatedly denied responsibility for any deliberate massacre of civilians in Yakawlang.

51. My statement was subsequently supported by the United Nations High Commissioner for Human Rights and by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan, Dr. Kamal Hossain, who, after a visit to Pakistan in mid-March, noted in his report to the Commission on Human Rights that there was enough material available to warrant a more thorough investigation into events at Yakawlang, with a view to establishing the circumstances of the killings and identifying those responsible.

52. Given a well-established pattern of repeated and systematic violations that perpetuate the prevailing climate of impunity, concerted action is needed to hold to account all those responsible for war crimes, breaches of international humanitarian law and gross violations of human rights.

53. On 9 January 2001, Mullah Omar declared conversion or propagation of conversion of Muslims to Christianity or Judaism punishable by death. The edict has led to restrictions on the activities of NGOs for fear that their association with the Afghan people may be misinterpreted.

IV. Observations

54. Once again, I am forced to report that the situation in Afghanistan has continued to deteriorate and that the humanitarian crisis has reached alarming proportions. Worst of all, conditions are liable to deteriorate further in the coming months as a result of the likely increase in the fighting and the continuing effects of drought. I once again urge Member States to respond generously to the Consolidated Appeal for Afghanistan. While donor fatigue may appear to be an understandable reaction after so many years of war in Afghanistan, it should not be forgotten that the international community, having failed to remain engaged in Afghanistan following the departure of the forces of the former Union of Soviet Socialist Republics, bears a large share of responsibility for Afghanistan's current plight. If humanitarian assistance is not to continue indefinitely, a new commitment is needed from Member States to find a comprehensive political solution. In the absence of a settlement, no significant voluntary return of refugees and internally displaced persons will occur, particularly in the case of the many skilled Afghans, whose expertise will be essential in rebuilding the country.

55. It is the countries that have intervened most in Afghanistan that are also the most affected by the negative consequences of the Afghan conflict. This is why I continue to harbour the hope that those countries will come to realize that the best means of guaranteeing their legitimate national interests lies in the establishment of a unified and representative government in Afghanistan, accountable to its own people, and in which the various ethnic groups that compose Afghanistan will feel represented.

56. While the sanctions are not responsible for the current humanitarian situation, they have permeated the Afghan political discourse. The Taliban, having portrayed them as economic in nature, has sought to blame them, with mixed success among the local population, for the deteriorating internal situation. The Taliban has also used the sanctions as an argument to suspend its participation in the United Nations-sponsored dialogue process agreed to on 2 November, on the grounds that the adoption of sanctions against only one of the parties to the conflict is an indication of a lack of impartiality on the part of the United Nations. While this negative reaction by the Taliban was not unexpected, it is at odds with its written undertaking. I remain hopeful that the leadership of the Taliban, if it is serious about pursuing a negotiated solution, will come to realize that the capacity of the United Nations to act as an honest broker has not been compromised by the imposition of sanctions. The United Nations has a critical role to play in bringing about an internationally acceptable settlement and in mobilizing the resources required to set Afghanistan on the road to recovery.

57. One unintentional fallout from the sanctions, but a very real one, has been the precarious position of the UNSMA offices and staff working inside Afghanistan. The closure of the Taliban's office in New York, in

particular, has led to Taliban threats to retaliate by closing the UNSMA office in Kabul. My Personal Representative has repeatedly told the Taliban that such a linkage is unacceptable.

58. In the past few months, the Taliban itself has seemed to vacillate between challenging the international community, on the one hand, and a pragmatic attempt to accommodate some of its demands, on the other. The latter approach, more evident prior to the imposition of sanctions, was shown in the Taliban's agreement to a United Nations-mediated process of negotiations and in the implementation of its edict on the eradication of poppy cultivation, which, as I have noted above, deserves a positive international response if the policy is to be sustained. The former approach, exemplified by the implementation of the edict on the destruction of statues, suggests the current domination of the Taliban by more radical elements.

59. I have noted the Taliban contention that the international community cares more about historical relics than about the fate of the Afghan people. However, it is because of my concern for the future of Afghanistan that I must express anew my profound regret at the destruction by the Taliban of the ancient statues and relics in Afghanistan, in particular the two invaluable giant statues of the Buddha in Bamyan. These artifacts are part of the common heritage of mankind. They not only symbolized the multifaceted history of the Afghan nation, but also embodied the values of religious, political and ethnic tolerance — the strongest foundation for a better, more peaceful and more tolerant future for all Afghans.

60. While effective and timely sanctions can prove useful in modifying the behaviour of certain errant regimes, they cannot be an end in themselves or a substitute for a comprehensive policy. In order to restore peace in Afghanistan, the international community must set clear objectives and develop a strategy to achieve them. These objectives should include well defined principles, which should guide the nature and programmes of any government that emerges in Afghanistan, consistent with the right of the Afghan people to determine their own future and the principle of friendly relations among States.

61. The strategy must also include the development of proposals, including incentives, that will encourage an internal dynamic and debate within the warring parties and will move them forward towards the achievement of those objectives. Thus, I very much welcome the readiness of the World Bank, communicated to my Personal Representative in January, to carry out a needs assessment mission of Afghanistan, starting with a household survey, as a first step in the preparation of a plan for the rehabilitation and reconstruction of the country.

62. It is equally important not to overlook the pivotal role that must be played by non-combatant Afghans — who after all constitute the majority of the population — in deciding the destiny of their country, either through the eventual holding of elections or through the convening of a *loya jirga*, such as that proposed by former King Zahir Shah.

63. The outlook for the next few months remains bleak. The two warring sides, with no lack of weapons and war materiel supplied by their external backers, are unmistakably preparing for heavy fighting. As painful as this prospect is, it must be hoped that, after yet another season of fruitless fighting, they and their supporters will finally realize that the resolution of the conflict cannot be found on the battlefield and that there is no alternative to a negotiated political settlement.

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The situation in the Middle East

Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 18 April 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the recent letters addressed to you by the Permanent Representatives of the Syrian Arab Republic and Lebanon dated 16 April 2001 (A/55/900-S/2001/362) and 17 April 2001 (A/55/902-S/2001/371), respectively. Israel completely rejects the unfounded allegations contained in those letters and their annexes and in this connection I would like to stress the following points.

1. On 24 May 2000, Israel completed the withdrawal of its forces from south Lebanon in full accordance with Security Council resolution 425 (1978). This withdrawal was confirmed by the Secretary-General (S/2000/590) and by the Security Council in resolutions 1310 (2000) and 1337 (2001) as well as by the statement of the President of the Security Council of 18 June 2000 (S/PRST/2000/21).

2. Despite Israel's full and confirmed compliance with resolution 425 (1978), the Lebanese Government continues to violate basic norms of international law and the provisions of resolutions 425 (1978), 426 (1978), 1310 (2000) and 1337 (2001), which calls for the restoration of international peace and security and the return of the effective authority and presence of the Government of Lebanon in the south. Indeed, Lebanon's continued failure to deploy its forces in the area, its disregard for the integrity of the Blue Line, its encouragement and support of the launching of provocative acts of terrorism and aggression from its territory, and its failure to control violent mobs congregating along the border represent a clear and genuine threat to peace and security in the region.

3. Since Israel's withdrawal, a number of grave acts of aggression have been perpetrated by terrorist organizations, chiefly Hizbullah, in clear violation of the Blue Line. These acts include the abduction on 7 October 2000 of three Israeli soldiers who were on patrol on the Israeli side of the Blue Line and several cross-border attacks which have claimed the lives of three Israeli soldiers. In this connection, I would like to refer to my previous letters dated 16 February 2001

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(A/55/792-S/2001/142), 6 February 2001 (A/55/767-S/2001/111), 26 November 2000 (S/2000/1121), 23 October 2000 (S/2000/1011), 19 October 2000 (S/2000/1002) and 7 October 2000 (S/2000/969).

In the most recent attack, referred to in my letter dated 16 April 2001 (S/2001/367), Hizbullah gunmen fired two Sagger anti-tank missiles at an IDF tank, killing an Israeli soldier. Following a meeting with the Prime Minister of Lebanon on 14 April 2001, the Personal Representative of the Secretary-General for southern Lebanon made the following comment: "The incident as you know took place in a form and a place which is an infringement, a clear infringement of resolution 425 (1978). The Blue Line as far as the United Nations is concerned is there and has been trespassed in a violent way."

4. The territory referred to as Shab'a farms, which the Government of Lebanon now claims as Lebanese territory, was confirmed by the Security Council not to be on the Lebanese side of the Blue Line. The reasons for this are clearly set out in the report of the Secretary-General dated 22 May 2000 (S/2000/460), a report which was subsequently endorsed by the Security Council on 18 June 2000 (S/PRST/2000/21).

It is important, as well, to note that at the time of the Israeli withdrawal, the Government of Lebanon stated that it would respect the line as identified by the United Nations (see paragraph 5 of the report of the Secretary-General (S/2001/66) dated 22 January 2001 and the statement by the President of the Security Council (S/PRST/2000/21) dated 18 June 2000). In November 2000, Lebanon reversed its position, claiming the right to use force against Israeli troops in the area. This position is clearly incompatible with resolution 425 (1978) and subsequent Security Council resolutions, as well as with established principles of international law.

5. It is a well-known fact that Syria exercises an overwhelming degree of control in Lebanon. With 35,000 troops stationed there, and occupying a significant portion of Lebanese territory, Syria is the main power broker in Lebanon. The Syrian Government's support of Hizbullah, and its permitting of overland arms transfers from Iran to Hizbullah through Syrian territory, have directly enhanced the capability of the organization to launch deadly attacks against Israel. Syria also allows Hizbullah to maintain terrorist training facilities in the Syrian-controlled Bekaa Valley and supports and encourages the organization's terrorist campaign against Israel as a means of achieving Syrian political objectives. Consequently, Syria, in addition to the Government of Lebanon, also bears direct responsibility for violations emanating from Lebanese territory.

6. Despite the continued and flagrant violations of Security Council resolutions and international law by the Governments of Lebanon and Syria, and the ongoing and violent provocations directed at Israeli soldiers and civilians which emanate from Lebanese territory, Israel has exercised a great deal of restraint. In the face of violent aggression, and the murder and kidnapping of our soldiers, Israel's response has been cautious and measured.

7. Following the most recent act of aggression perpetrated by Hizbullah on 14 April 2001, in which an Israeli soldier was killed and to which I referred in my letter dated 16 April 2001 (S/2001/367), Israel was compelled to respond. In the light of the above, Israel exercised its legitimate right to self-defence in an operation

on 16 April 2001 aimed at preventing the recurrence of such armed aggression from Lebanese soil.

Israel does not seek an escalation of violence on its northern border. On the contrary, we wish to see, and we will act resolutely to bring about, the return of international peace and security. In this connection, I should like to recall that, in his report of 31 October 2000 (S/2000/1049), the Secretary-General observed that the time has come to establish the state of affairs envisaged by resolution 425 (1978). That would require "first and foremost, that the Government of Lebanon take effective control of the whole area vacated by Israel last spring and assume its full international responsibilities, including putting an end to the dangerous provocations that have continued on the Blue Line".

Israel therefore calls once again upon the Governments of Lebanon and Syria to heed the call of the international community and comply fully with their obligations under the relevant resolutions of the Security Council and the principles of international law. We further call upon those Governments to proceed with the deployment of the Lebanese armed forces up to the Blue Line, to ensure the return of the effective authority of the Government of Lebanon in the area, and to prevent the activities of terrorist elements operating in the territory under their control so as to ensure the restoration of international peace and security. These long-overdue actions will serve to ensure stability along the northern border while demonstrating that the commitment to peace and security in the Middle East, expressed in the letter of the Lebanese Representative, is more than mere rhetoric.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the General Assembly, under agenda items 40 and 164, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2001/386

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Letter dated 19 April 2001 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a letter addressed to you by Vojislav Koštunica, President of the Federal Republic of Yugoslavia, relative to the terrorist attack committed against Yugoslav citizens in Pristina on 18 April 2001 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Dejan **Sahovic**
Ambassador
Permanent Representative

01-34118 (E) 200401

Annex to the letter dated 19 April 2001 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General

It is with deep regret and even deeper exasperation that I have to draw your attention to the fact that an officer of the Ministry of the Interior of the Republic of Serbia was killed in a terrorist action in Pristina, on 18 April, while three people were seriously injured. A large quantity of explosives, activated by remote control, was used in the attack. This was obviously a large-scale action that required extensive preparations and involved a large number of people. Unfortunately, this is yet another in a series giving evidence of the extremely poor security situation in Kosovo, which particularly affects the few remaining non-Albanians. Despite the unambiguous provisions of Security Council resolution 1244 (1999), it is clear that UNMIK and KFOR have failed to fulfil their tasks. This specifically refers to the return of refugees, which was made possible for Albanians only.

At our last meeting at Geneva, on 30 March, I pointed out to you that terrorism had escalated among Albanian extremists. They have been reinforced meanwhile, and, to all appearances, encouraged, or at least incited, by insufficiently energetic measures by UNMIK and KFOR. I would also like to remind you that the attack of 16 February on a bus near Podujevo was performed by remote control as well. Such monstrous actions imply not only the perfidiousness of the persons who committed them, but also that they have used the past year or year and a half for further training and advancement.

I am convinced that you will condemn this act, but I have to stress that I expect the international civilian and security presence not to settle for verbal condemnations this time. It is no longer enough to call for peace and respect for law and order; the point is to prevent such actions resolutely, and do everything to nip terrorism in the bud. It is hard to talk about the establishment of democratic institutions in an area where death is sown with impunity.

(*Signed*) Vojislav **Koštunica**
President of the Federal Republic of Yugoslavia

United Nations S/2001/387

Security Council

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19 April 2001

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Letter dated 19 April 2001 from the President of the Security Council to the Secretary-General

I have the honour to inform you that members of the Security Council have considered your report dated 11 April 2001 on the United Nations Office in Angola (S/2001/351).

They concur with the recommendation contained in paragraph 50 of that report on the extension of the mandate of the Office until 15 October 2001 and are content with the objectives for the Office which you set in the report.

(*Signed*) Jeremy **Greenstock**
President of the Security Council

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Letter dated 19 April 2001 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the forthcoming debate of the Security Council regarding the Protection of Civilians in Armed Conflict, which is to be held on Monday, 23 April 2001.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

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